

*Town Clerk*  
**JOURNALS**

*Calton*  
OF THE  
*N.H.*

**SENATE AND HOUSE,**

**JUNE SESSION,**

**1841.**

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**CONCORD:**

**BARTON & CARROLL, STATE PRINTERS.**

**1841.**



**JOURNAL**  
  
OF THE  
  
**HOUSE OF REPRESENTATIVES,**  
  
OF THE  
  
**STATE OF NEW-HAMPSHIRE,**  
  
**AT THEIR SESSION**  
  
**HOLDEN AT THE CAPITOL IN CONCORD,**

COMMENCING WEDNESDAY, JUNE 2, 1841.

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PUBLISHED BY AUTHORITY.

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# JOURNAL

## OF THE

# HOUSE OF REPRESENTATIVES,

June Session, 1841.

WEDNESDAY, JUNE 2, 1841.

A quorum of the whole number of Representatives elected in the several towns and districts of the State of New Hampshire being convened in the Capitol at Concord, in said State, on the first Wednesday of June, A. D. 1841, His Excellency the Governor, attended by the Honorable Council, came into the Representatives' Hall, and the following gentlemen presented their credentials and were duly qualified as members of the House of Representatives agreeably to the Constitution, namely:

### FROM ROCKINGHAM COUNTY.

<i>Atkinson, Henry Knight.</i>	<i>Exeter, Josiah Robinson,</i>
<i>Brentwood, Jonathan Robinson.</i>	<i>Woodbridge Odlin.</i>
<i>Candia, Rufus E. Patten.</i>	<i>Greenland, John Foss.</i>
<i>Chester, John W. Noyes.</i>	<i>Hampstead, Lorenzo Batchelder.</i>
<i>John S. Brown,</i>	<i>Hampton, Amos Towle, jr.</i>
<i>Danville &amp; Sandown, Nath'l Webster.</i>	<i>Hampton Falls, Thayer S. Sanborn.</i>
<i>Deerfield, Peter Sanborn,</i>	<i>Kensington, John T. Blake.</i>
<i>Thomas D. Rawlins.</i>	<i>Kingston, Calvin Thayer.</i>
<i>Derry, Henry Taylor,</i>	<i>Londonderry, Robert Boyd, jr.</i>
<i>John Porter.</i>	<i>New Castle, George Vennard.</i>
<i>Epping, Daniel W. Ladd.</i>	<i>Newington, Winthrop Pickering.</i>

*New Market*, William W. Stickney.

*Newtown*, Elijah R. Currier.

*North Hampton*, James Batchelder.

*Northwood*, Richard Hoitt.

*Nottingham*, John Crawford.

*Plaistow*, James G. George.

*Poplin*, Perley Robinson.

*Portsmouth*, Isaac Waldron,

Robert Morrison,

Samuel P. Wiggin,

Thomas B. Lighton,

Nathaniel Dennett, jr.,

Thomas P. Treadwell.

*Raymond*, Jonathan S. Brown.

*Rye*, Reuel Garland.

*Salem*, John H. Thompson.

*Seabrook*, Benjamin F. Brown.

*South Hampton*, John Palmer.

*Stratham*, George B. Fifield.

*Windham*, Jeremiah Morrison.

### FROM STRAFFORD COUNTY.

*Barrington*, Micajah S. Clough.

*Dover*, Thomas E. Sawyer,

Andrew Peirce,

Jonas D. Townsend.

*Durham*, Samuel Burnham.

*Farmington*, Jeremiah Jones.

*Lee*, Charles Allen.

*Madbury*, John Ricker.

*Middleton*, Jacob P. Buzzell.

*Milton*, John H. Varney.

*New Durham*, Nathaniel Locke.

*Rochester*, John Witham,

Jonathan H. Torr.

*Strafford*, Paul Perkins,

James B. Foss.

*Somersworth*, Jacob Morrill,

William E. Griffin.

### FROM BELKNAP COUNTY.

*Alton*, James McDuffie, 3d,

Joseph Mooney.

*Barnstead*, Stephen Young,

Samuel Rollins, jr.

*Centre Harbor*, James M. Paine.

*Gilford*, Benjamin Bordman,

Aaron Robinson.

*Gilmanton*, Jeremiah Leavitt,

Nahum Wight,

Nathan C. Tebbetts.

*Meredith*, Abel B. Eastman,

Winthrop Young,

Joseph Ela.

*New Hampton*, Nathaniel Norris.

*Sandbornton*, John Curry,

Benjamin Calley,

Bradbury Morrison.

### FROM CARROLL COUNTY.

*Albany & Chatham*, Chester Parrish.

*Brookfield*, William T. Cate.

*Eaton*, Artemas Harmon.

*Eppingham*, Jonathan Wedgwood.

*Freedom*, Elias Towle.

*Sandwich*, Paul Wentworth,

Nathaniel Burleigh.

*Tamworth*, Obed Hall.

*Tuftonborough*, Abel Haley.

*Ossipee*, Asa Beacham,

Brackett Wiggin.

*Wolfborough*, Benja. F. Thompson,

James Thurston.



## FROM MERRIMACK COUNTY.

<i>Allenstown</i> , Israel Marden.	<i>Franklin</i> , Henry Burley.
<i>Andover</i> , Benjamin F. Scribner.	<i>Henniker</i> , Parrott Marsh.
<i>Boscawen</i> , Ebenezer Price,	<i>Hooksett</i> , Richard H. Ayer.
Joseph Morrill.	<i>Loudon</i> , Joseph Clough, 3d.
<i>Bow</i> , Amos Morgan.	<i>Newbury</i> , Jacob Gibson.
<i>Bradford</i> , Bartholomew Smith.	<i>New London</i> , Walter P. Flanders.
<i>Canterbury</i> , Benjamin Sanborn.	<i>Northfield</i> , Enos Hoyt.
<i>Chichester</i> , John Bailey.	<i>Pembroke</i> , George W. Doe.
<i>Concord</i> , Moses Shute,	<i>Salisbury</i> , True George.
Abial C. Carter,	<i>Sutton</i> , Enoch Page.
Joseph Robinson,	<i>Warner</i> , Asa Pattee.
Jacob Hoit.	Robert Thompson.
<i>Dunbarton</i> , Nathan Gutterson.	<i>Wilmot</i> , Andrew Langley.
<i>Epsom</i> , Eliphalet Wiggin.	

## FROM HILLSBOROUGH COUNTY.

<i>Amherst</i> , Andrew Wallace.	<i>Mason</i> , John Stevens.
<i>Antrim</i> , Joseph Davis, 2d.	<i>Merrimack</i> , Robert McGaw.
<i>Bedford</i> , Thomas Chandler.	<i>Milford</i> , Daniel Putnam.
<i>Brookline</i> , Ensign Bailey.	<i>Mont Vernon</i> , Nathaniel Bruce.
<i>Deering</i> , Robert Goodale.	<i>Nashua</i> , George Y. Sawyer,
<i>Francestown</i> , Paul H. Bixby.	Isaac Spalding,
<i>Goffstown</i> , Benjamin Stevens, 2d,	Albin Beard,
Shubael T. Jones.	Josephus Baldwin.
<i>Greenfield</i> , Zebediah Pevey.	<i>New Ipswich</i> , William Ainsworth.
<i>Hancock</i> , David Patten.	<i>New Boston</i> , Asa McMillen.
<i>Hillsborough</i> , Albert Baker,	<i>Pelham</i> , Jesse Gibson.
Henry D. Pierce.	<i>Peterborough</i> , Stephen P. Steele,
<i>Hollis</i> , Leonard Farley.	Timothy K. Ames.
<i>Hudson</i> , Jabez P. F. Cross.	<i>Sharon</i> , Asa Barnes.
<i>Litchfield</i> , Parker Bixby.	<i>Temple</i> , Nathaniel Kingsbury.
<i>Lyndeborough</i> , Daniel N. Boardman.	<i>Weare</i> , William Woodbury.
<i>Manchester</i> , George W. Morrison,	Simon P. Colby.
Charles Stark,	<i>Wilton</i> , Abram Whittemore.
Samuel Jackson.	<i>Windsor &amp; Society Land</i> , John Swett.

## FROM CHESHIRE COUNTY.

<i>Alstead</i> , Joseph Kingsbury.	Oscar Coolidge.
<i>Chesterfield</i> , Asa Hamilton,	<i>Dublin</i> , Calvin Mason.



<i>Fitzwilliam</i> , Amos A. Parker.	<i>Roxbury</i> , Alanson Rawson.
<i>Gilsum</i> , David Bill.	<i>Stoddard</i> , Asa Copeland
<i>Jaffrey</i> , John Felt.	<i>Sullivan</i> , Rufus Mason.
<i>Keene</i> , Sumner Wheeler,	<i>Surry</i> , Daniel Abbott.
Aaron Davis.	<i>Swansey</i> , Leonard Whitcomb.
<i>Marlborough</i> , James Batchelder.	<i>Troy</i> , Abel Baker.
<i>Marlow</i> , Amasa Mack.	<i>Walpole</i> , Henry S. Tudor,
<i>Nelson</i> , Josiah Osgood.	Ebenezer Morse.
<i>Richmond</i> , Jarvis Weeks.	<i>Winchester</i> , Asaph Butterfield,
<i>Rindge</i> , Joshua Converse.	Asahel J. Humphrey.

## FROM SULLIVAN COUNTY.

<i>Aerworth</i> , Joseph G. Silsby.	<i>Grantham</i> , Samuel C. Moulton.
<i>Charlestown</i> , Ashbel Hamlin.	<i>Langdon</i> , Samuel Prentiss.
<i>Claremont</i> , Nathaniel Cotton,	<i>Newport</i> , Zina Goldthwait.
Laurens A. Grannis.	<i>Plainfield</i> , Benjamin Cutler.
<i>Cornish</i> , Henry Breck.	<i>Springfield</i> , Daniel N. Adams.
<i>Croydon</i> , Calvin Hall.	<i>Unity</i> , Ezra J. Glidden.
<i>Goshen</i> , Olivet Willey.	<i>Washington</i> , Simon W. Jones.

## FROM GRAFTON COUNTY.

<i>Alexandria</i> , William Locke.	<i>Hill</i> , Jonathan Weeks, Jr.
<i>Bath</i> , William Lang.	<i>Holderness</i> , Jesse Ladd.
<i>Bethlehem</i> , Daniel Wilcomb.	<i>Landaff</i> , Moses Clark.
<i>Bridgewater</i> , Jesse Prescott.	<i>Lebanon</i> , Isaac Allen,
<i>Bristol</i> , Robert W. Moore.	George H. Lathrop.
<i>Campton</i> , Daniel Sanborn.	<i>Lisbon</i> , Otis Savage.
<i>Canaan</i> , Caleb Blodgett.	<i>Littleton</i> , Ezra Parker.
<i>Benton</i> , James J. Page.	<i>Lyman</i> , Herod Stevens.
<i>Danbury</i> , John S. Rand.	<i>Lyme</i> , Arthur Latham, Jr.
<i>Dorchester</i> , Jeremiah Blodgett.	<i>Orford</i> , Henry S. Perrin.
<i>Enfield</i> , Thomas Merrill.	<i>Orange</i> , Henry McGrath.
<i>Franconia &amp; Lincoln</i> , Reuben Wallace.	<i>Woodstock &amp; Ellsworth</i> , David R. Buz-
<i>Grafton</i> , Cyrus Adams.	zell.
<i>Groton</i> , Albert G. Cheney.	<i>Piermont</i> , Robert Evans.
<i>Hanover</i> , Daniel Blaisdell,	<i>Plymouth</i> , Jonathan Dearborn.
Ashbel Smith.	<i>Rumney</i> , Aaron Goodwin.
<i>Haverhill</i> , Samuel Swasey,	<i>Thornton</i> , Mark Whidden.
Samuel Smith.	<i>Warren</i> , Jesse Little.
<i>Hebron</i> , Enos Ferrin.	<i>Wentworth</i> , John F. A. Peabody.

## FROM COOS COUNTY.

*Bartlett, Joseph Pitman.* *Jefferson, Kilkenney, and Randolph,*  
*Carroll, Nash and Sawyer's Location,* *Justus Low.*  
*Hart's Location, and Crawford's Lancaster,* *John S. Wells.*  
*Grant, Ebenezer Glines.* *Milan, Stark, and Dummer, Peter*  
*Colebrook, Moses Johnson.* *Wheeler,*  
*Columbia, Thomas J. Emerton.* *Shelburne, Gorham, and Berlin, Dan-*  
*Dalton, Aaron Ballou.* *iel Green.*  
*Errol, Clarksville, Dixville, Mills.* *Stewartstown, Jonathan Young.*  
*field and Pittsburgh, Clark J.* *Stratford and Northumberland, Na-*  
*Haines.* *hum D. Day.*  
*Jackson, and Pinkham's Grant, Jo-* *Whitefield, Samuel Cole.*  
*seph P. Emery.*

His Excellency the Governor and the Honorable Council then withdrew.

The House was then called to order by Harry Hibbard, Clerk of the House last year.

On motion of Mr. Ela of Meredith—

The House proceeded to the choice of Chairman, and Thomas P. Treadwell was elected and took the Chair accordingly.

On motion of Mr. Wentworth—

The House proceeded to the choice of Speaker, and Hon. John S. Wells was elected.

Mr. Wells on taking the Chair addressed the House as follows :

GENTLEMEN—With the duties devolving upon the presiding officer of this House, I have, as you are well aware, but slight acquaintance ; and in accepting the appointment which you have generously tendered, I rest upon your kindness to aid me in the performance of the responsible duties. That portion of the duty “to preserve order and decorum,” I anticipate will be light indeed, considering the uniformly courteous and gentlemanly deportment of the members, and the proverbial order of the New Hampshire Legislature. But even in *such* an assembly the presiding officer, with limited experience in parliamentary proceedings, is often placed in difficult and embarrassing positions. I cannot, gentlemen, expect to escape such trials, and shall hope for your aid and forbearance at such times. For the expression of confidence manifested by selecting me for the honorable post, I tender you my profound acknowledgments and will in return exert my utmost endeavors to perform the duties to your satisfaction.

On motion of Mr. Ayer—



The House proceeded to the choice of Clerk, and Harry Hibbard of Bath was elected.

On motion of Mr. Dearborn—

The House proceeded to the choice of Assistant Clerk, and Albert G. Allen of Salisbury was elected.

Harry Hibbard and Albert G. Allen appeared and were sworn to the faithful discharge of the duties of their respective offices.

A message from the Senate by their Clerk :

“Mr. Speaker—I am directed to inform the House of Representatives that the Senate have assembled, have elected Hon Josiah Quincy, President, Isaac L. Folsom, Clerk, and Josiah B. Wiggin, Assistant Clerk, and are now ready to proceed to the business of the session.

The Senate have passed a resolution adopting the joint rules of the two branches of the Legislature for the year 1840 for the present year, or until otherwise ordered, in which they ask the concurrence of the House.”

On motion of Mr. Ayer—

*Resolved*, That the House concur with the Honorable Senate in the passage of said resolution.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Smith of Bradford—

*Resolved*, That information be given to the Honorable Senate that the House of Representatives have assembled, have chosen Hon. John S. Wells, Speaker, Harry Hibbard, Clerk, and Albert G. Allen, Assistant Clerk, and are ready to proceed to the business of the session.

*Ordered*, That the Clerk communicate the same to the Hon. Senate.

On motion of Mr. Ferrin—

*Resolved*, That a committee be appointed to nominate two suitable persons to serve as Doorkeepers of the House for the present session.

*Ordered*, That Messrs. Ferrin, Curry and Ames be the committee.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That when the House adjourns in the forenoon it adjourn to meet at three o'clock in the afternoon, and when it adjourns in the afternoon it adjourn to meet at ten o'clock the next morning, until otherwise ordered.

On motion of Mr. Spalding—

*Resolved*, That the rules adopted at the last session of the Leg-



islature, for the government of the House, be adopted the present session until otherwise ordered.

On motion of Mr. Dearborn—

The House adjourned.

#### AFTERNOON.

On motion of Mr. Bordman of Gilford—

*Resolved*, That a committee be appointed to prepare and report rules for the government of the House the present session.

*Ordered*, That Messrs. Bordman of Gilford, Merrill and Sawyer of Nashua be the committee.

On motion of Mr. Bruce—

*Resolved*, That a committee be appointed on the part of the House with such as the Senate may join, to wait on His Excellency the Governor and inform him that a quorum of both branches of the Legislature have assembled, are organized and ready to receive any communication he may be pleased to make.

*Ordered*, That Messrs. Waldron, Chandler and Bingham be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Griffin—

*Resolved*, That a select committee be appointed to invite the several clergymen who are members of the House, to officiate as Chaplains during the present session, and that prayers be attended in the Representatives' Hall at a quarter before ten o'clock in the forenoon of each day of the session.

*Ordered*, That Messrs. Griffin, Cheney and Patten of Hancock be the committee.

On motion of Mr. Blake of Kensington—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

#### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, the Secretary of State

came in and laid before the Convention the returns of votes for Governor from the several towns and places in this State, and also the returns of votes for Counsellors in the several Counsellor Districts in this State.

On motion of Mr. Gregg of the Senate—

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and places in this State and completed the same.

On motion of Mr. Johnson of the Senate—

*Resolved*, That a committee be appointed to receive and sort the votes for Governor, count and cast their numbers and report thereon.

*Ordered*, That Messrs. Gregg of the Senate, Treadwell and Blaisdell of the House be the committee.

On motion of Mr. Hatch of the Senate—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Baker of Troy—

*Resolved*, That the committee appointed to extend an invitation to the several clergymen of this House to officiate as chaplains, extend the same invitation to the Rev. Mr. Moore of the Senate—

On motion of Mr. Hall—

The House adjourned.

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THURSDAY, JUNE 3, 1841.

Charles Rogers, having been duly qualified as a representative from the town of Wendell was introduced by the Secretary of State, and took his seat.

Josiah S. Knowlton and Robert Wilson of Hopkinton and Aaron Brackett of Littleton, having been duly qualified as representative from those towns, were introduced by the Secretary of State and took their seats.

On motion of Mr. Smith of Bradford—

*Resolved*, That a select committee be appointed on the part of the House, with such as the Senate may join, to report joint rules for the government of the two Houses the present session.

*Ordered*, That Messrs. Smith of Bradford, Robinson of Concord, and Stickney be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Wedgwood—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk:

“Mr Speaker:—The Senate concur with the House in the passage of a resolution appointing a joint select committee to wait upon His Excellency the Governor and inform him of the organization of the Legislature, and have on their part joined Mr. Renton.

I am also directed to inform the House of Representatives that there is a vacancy in District No. 10, and that Jeremiah D. Nettleton and Alvah Smith are the two highest candidates.”

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall for the purpose of proceeding in the elections agreeably to the provisions of the Constitution—

Mr. Gregg of the Senate from the joint select committee to whom were referred the returns of the votes for Governor, given in on the second Tuesday of March, A. D. 1841, in the several towns and places in this State, with instructions to sort and count the same and cast their numbers and report thereon,

### REPORTED,

That the whole number of votes is	51,689
Necessary for a choice,	25,845
Estimated as scattering,	70
Daniel Hoit has	1,273
Enos Stevens has	21,230
John Page has	29,116

and is duly elected Governor of the State of New Hampshire for the ensuing political year.

The town of Salem in the county of Rockingham 140 for



John Page, 131 for Enos Stevens and 12 for Daniel Hoyt; and the town of Thornton 136 for John Page and 58 for Enos Stevens not returned in the time prescribed by the constitution, are included in the above estimate. The returns from the town of Kingston county of Rockingham, the town of Wilton in the county of Strafford, the towns of Lincoln, Waterville, and Bristol in the county of Grafton, the towns of Stark, Stratford, Jefferson, and the place called Hart's location in the county of Coos are defective, not having the certificates of the moderator and selectmen appended. And the return from the town of New London county of Merrimack is defective, not being certified by the moderator,—all which said returns are included in the above estimate. The returns are generally defective in this, that the town clerks have neglected to certify that they were sealed up in the presence of the selectmen and moderator."

Which report was accepted.

Whereupon—

*Resolved*, That the town clerks of Salem and Thornton be and they are hereby required to appear before the Senate and House of Representatives in Convention on Thursday the eleventh day of June instant, at ten of the clock in the forenoon to shew cause why the returns of their respective towns were not made to the Secretary of State within the time prescribed by the constitution, and that the Clerk of the House of Representatives cause a copy of this resolution to be served on each of the town clerks aforesaid as soon as may be.

On motion of Mr Pickering of the Senate—

*Resolved*, That the Secretary of State be directed to lay before the Convention a record of the return of votes for Senator in District No. 10.

The Secretary of State came in and read from his records as follows:

"The whole number of votes cast for Senator in District No. 10, is three thousand six hundred and twenty-nine.

Jeremiah D. Nettleton has	1,806
Alvah Smith has	1,758
Scattering,	65"

On motion of Mr. McDaniel of the Senate—

The Convention proceeded to choose by ballot a Senator for District No. 10, from said two highest candidates and Jeremiah D. Nettleton was elected.

On motion of Mr. Renton of the Senate—

The convention proceeded to open, read and record the returns

of votes for Counsellors from the several Counsellor Districts in this State and completed the same.

On motion of Mr. McDaniel of the Senate—

*Resolved*, That a committee be appointed to receive and sort the votes for Counsellors, count and cast their numbers and report thereon.

*Ordered*, That Messrs. McDaniel of the Senate, Spalding and Glidden be the Committee.

On motion of Mr. Renton of the Senate—

The convention reconsidered the vote adopting the following resolution:

*“Resolved*, That the town clerks of Salem and Thornton be and they are hereby required to appear before the Senate and House of Representatives in Convention on Thursday the eleventh day of June instant at ten of the clock in the forenoon, to shew cause why the returns of their respective towns were not made to the Secretary of State within the time prescribed by the Constitution, and that the Clerk of the House of Representatives cause a copy of this resolution to be served on each of the town clerks aforesaid as soon as may be.”

Mr. Gregg of the Senate moved that said resolution be amended by striking out the word “eleventh” and inserting instead thereof the word “tenth.”

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

On motion of Mr. Pickering of the Senate—

*Resolved*, That the Secretary of State be directed to notify the Honorable Jeremiah D. Nettleton of his election as Senator for District No. 10.

On motion of Mr. McDaniel—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

Mr. Ferrin from the select committee appointed to nominate two suitable persons for door-keepers of the House the present session, reported the following resolution:

*Resolved*, That Atkinson Webster and Samuel S. Dow be door-keepers of the House for the present session.

Mr. Treadwell moved that the resolution be amended by striking out the words "Samuel S. Dow" and inserting instead thereof the words "Aaron Carter."

On motion of Mr. Smith of Bradford—

*Ordered*, That the resolution lie on the table.

On motion of Mr. Smith of Bradford—

*Resolved*, That a select committee of ten be appointed on the part of the House, with such as the Senate may join, to wait upon the Governor elect and inform him of his election, and that the Legislature will be ready to receive any communication which he may be pleased to make.

*Ordered*, That Messrs. Wentworth, Haley, Wight, Goldthwait, Tudor, Pierce of Hillsborough, Flanders, Day, Lang and Odlin be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House in the passage of a resolution appointing a joint select committee to wait upon the Governor elect and inform him of his election and that the Legislature will be ready to receive any communication which he may be pleased to make, and have on their part joined Messrs. Gregg and Hatch."

On motion of Mr. Ela—

The House adjourned.

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#### AFTERNOON.

On motion of Mr. Smith of Bradford—

The House resumed the consideration of the resolution reported by the select committee providing for the appointment of door-keepers of the House for the present session.

The question being upon the adoption of the amendment proposed to said resolution by Mr. Treadwell.

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the resolution pass?

It was decided in the affirmative.



So the resolution passed.

Mr. Wentworth from the joint select committee, appointed on the part of the House of Representatives, to wait upon His Excellency the Governor elect, and inform him of his election as Governor of the State of New Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication which he may be pleased to make, reported that they had attended to the duty assigned them and that His Excellency was pleased to reply that he felt deeply gratified towards his fellow citizens for this repeated testimony of their confidence reposed in him, and that he would meet the Legislature in the Representatives' Hall at half past three o'clock this afternoon and accept the office and take and subscribe the oaths prescribed by the Constitution.

Which report was accepted.

On motion of Mr. Ela—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, the Honorable John Page, Governor elect, came in escorted by the committee of both branches of the Legislature, attended by the Honorable Council, and manifested his acceptance of the office of Governor of this State. He then took and subscribed the oath of office, before the President of the Senate and in the presence of both branches of the Legislature, when the Honorable Josiah Quincy, President of the Senate, declared His Excellency John Page, Governor of the State of New Hampshire for the ensuing political year, and presented him with a copy of the Constitution as a guide in the discharge of his official duties.

His Excellency the Governor then returned to the Council Chamber attended by the Honorable Council.

On motion of Mr. McDaniel of the Senate—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

The following message in writing was received from His Excellency the Governor by the Secretary of State, which was read.

*Fellow Citizens of the Senate,  
and House of Representatives—*

The revolution of another political year, under the wise direction of a benificent Providence, brings us together in a Legislative capacity, to execute the most important trusts, that could be confided to us, by our enlightened constituents. The duty and the trust, thus imposed upon us, of making laws for the government of a people, such as compose the great body of the citizens of New Hampshire, involving all interests of property, and even life itself, admonish us to approach the performance of these duties, with chastened feelings, with thoughts elevated and enlarged, above and beyond the contracted circle of our own mere selfish views and interests ; to take good care, that no partial or unjust legislation, shall mar the symmetry, of the well proportioned system of equal and just Government, which we received from our patriotic forefathers, and our forefathers' God ; not to be uprooted and destroyed—but to be enjoyed and improved, preserved and transmitted, in like manner, to those who shall come after us. If we in this generation, shall succeed in faithfully discharging these high and holy purposes, we need not fear but we shall have well performed our highest duties as citizens of the Republic, and have conferred the greatest and most valuable benefit in our power to bestow upon the successors to our heritage, the legacy of freedom.

In the dealings of a just, though oft-times inscrutable, Providence, our country has recently been called to mourn the death of its venerable Chief Magistrate, and at a peculiar and important crisis. A new administration had but just succeeded to power, and assumed the responsibilities of Government ; incipient measures had but just been devised, when death suddenly removed the individual, selected by a majority of the nation to fill the highest station in the Government. This melancholy event affords a startling illustration of the fact, that "in the midst of life we are in death," and that station and honors afford no shield against the shaft of death, but would almost seem to present to the "insatiate archer," only a more shining and conspicuous mark. Of the late President widely different opinions prevailed. and we, fellow citizens, doubtless embraced those different opinions as honestly, and as ardently, as others : but, let us remember only his virtues and "the good that he did," while we permit his faults and foibles to rest in silence, the trophies of death.

The present is a deeply interesting period in the affairs of our nation. The new administration has seen fit to call an extra ses-



sion of Congress, which is now being held. The necessity of this call I am unable to perceive, and for the reasons therefor we are left mainly to conjecture. Let us hope, however, as every true lover of the honor and interest of his country will do, that those who have assumed the responsibility of the measure, will be able to give such good and sufficient reasons for the course taken, as will satisfy the candid of its propriety, and that such policy may be adopted and acted upon, by those who have the control of affairs, as will continue to sustain our best interests and honor, and maintain unimpaired, that sacred charter of our liberties, the Constitution of the United States.

The National Government is clothed with certain delegated powers, which they may constitutionally exercise ; but "all powers not delegated by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People." Both the National and State Governments possess powers, which are separate and distinct : and the experience of more than half a century shows, that the two, when restricted within their own constitutional limits, afford to our citizens greater and more equal security, than any other known form of government on the globe. Institutions that so well answer the most valuable purposes of all governments, should be cherished with every care, and maintained with all their efficacy and purity, by every sacrifice that patriotism warrants, and with all the vigilance, that the preservation of true freedom ought to excite. While, therefore, the States should watch with a vigilant eye every encroachment on their reserved rights, they should as carefully avoid the exercise of any powers, delegated to the National Government.

The Congress of the United States are invested with full power "to lay and collect taxes, imposts and excises, to pay the debts, and provide for the common defence and general welfare of the United States ;"—but with this authority they possess no power to collect a revenue for *distribution* among the States. Unfortunately for the nation, in 1836 there had accumulated in the Treasury an unexpected and large surplus revenue, beyond the then existing wants of the Government ; and by a law of Congress called the "Deposit Act," that surplus was deposited with the several States for safe keeping. It was a *deposit*, and no more, and so viewed by the friends of the then administration who supported the measure ; had it been a law to give, or distribute that sum to the several States, I am of opinion it would have found few friends in either House of Congress.

It is to be regretted, that any of our sister States have been seduced to stray from the safe path of strict economy in their public



expenditures. Justice to the present and future generations would seem to require of those, who as agents of the people, control the affairs of the States at the present time, a return and adherence to the strictest principles of economy, in the performance of their several duties and trusts; inasmuch as by such course only, can they reasonably expect to be relieved from the unfortunate embarrassments, under which they now labor. The spirit and energies of the American people are still unconquered, and, we may almost say unconquerable, when exerted in a just cause. Our people are lovers of justice, not only in their individual affairs, but in those of the States and Nation. I feel the highest confidence in the ability and disposition of the indebted States to meet all their just responsibilities, and that too, without resorting to the National Government for aid. If a system of distribution to the States were to be adopted (waiving the constitutionality of such system) it would most clearly be exceedingly bad policy; exhausting to the National Treasury, and corrupting to the States and the people.

The General Government is authorized "to provide for organizing, arming and disciplining the militia;"—and it is very desirable that a new organization should be made. It is believed that we have one and a half million of soldiers enrolled in the militia throughout the Union; of this number we have about thirty thousand in this State, who are called out thrice in each year for inspection, drill and review. This mode of training so numerous a body of soldiers, is attended with a very great aggregate expense, of both time and money, unaccompanied in the estimation of very many of our citizens by an equivalent advantage. The "right of the people to keep and bear arms," is a right dear to every freeman; arms should be in the hands of every citizen of the Republic, who is able to wield them, and it is the duty of Government to prescribe such rules of organization and discipline, as will give those arms the greatest possible efficiency. The system of organization and discipline to be useful, must deserve and receive the approval of those for whom it is established; it must be free from the charge of favoritism and partiality on the one hand, and not impose too heavy a tax on the time and money of the citizen on the other. All our citizens should be required, and held strictly to sustain, their fair share of the burthens of the system.

It is believed that a division of our Militia into junior and senior classes, the latter being excused from active duty, except in cases of invasion and insurrection, and thus abridging in effect the term of time in which duty is to be required, and granting to the former an increased compensation in proportion to the services required of them, withholding of course any compensation to the

latter class, except when called into actual service, would not only be a great saving of expense on the whole, but would advance the discipline and effectiveness of the former class, by enabling them to devote more time and attention to the school of the soldier, than under our present system would be deemed just and expedient to require.

The present is no time to relax in the encouragement and support of a well regulated militia. How soon we may be called upon to defend the liberty and country inherited from our patriotic sires, we cannot know; but this we are assured, that while the nature of man remains unchanged, the manifestation of a constant readiness and ability to defend ourselves is the surest guaranty against aggression. While speaking of the subject of our militia, permit me to call your attention to that of our field artillery. Most of our regiments are now supplied with *small* brass field pieces; they answer well the purpose for which they were designed, that is, to accustom our soldiers to the exercise and use of this kind of ordnance. In some few recent instances, these light pieces have been exchanged by the State for those of a heavier class. Doubts have been expressed as to the adoption of this measure as a general rule; the smaller size are equally useful, and far more convenient for all the purposes of exercise and drill, and a saving of much expense.

By reference to the charters of the banking institutions in this State, it will be seen that several are soon to expire by limitation, and it consequently becomes a question of importance as to what ought to be our policy toward them. It is believed in this State, we have fallen into what is now deemed a very common error in this country, that of establishing too many banks—more than the interest of community requires, which is the only proper reason for the establishment of any. This error, if it should thus be considered, the Legislature will soon have a favorable opportunity to correct. It must be admitted, that recent developments in the management of certain banks in the Nation, have tended to shake whatever of confidence a large portion of community had in them. Speculation and fraud, of such aggravated character, have been committed among those entrusted with the control of these institutions, as to become truly alarming. Some of these banks appear to have turned aside from their lawful sphere of operations, and instead of impartially lending their aid to the general business of the country, (as it was the object of their establishment to do,) to have contributed their means mainly to the aggrandizement of a few favorites. Banking institutions have become so numerous, and their notes have so extensively assumed the place of money



as a circulating medium, as apparently to render such institutions indispensable ; that to effect any important change in the system, even with acknowledged public interest on the side of reform, has become a task of no ordinary magnitude and difficulty, and would require the most mature deliberation.

It is, however, gratifying to believe that the banks in New Hampshire, with few exceptions, have fulfilled their appropriate duties to the community with a commendable degree of fidelity, and have shared largely the public confidence ; they should be held to a rigid and strict accountability on all their engagements, with no hope of legislative favor on failure to redeem, on demand and in specie, all their promises. I would suggest the propriety of limiting, by law, the amount that may be loaned to any one individual or firm, and also, by legal enactment, prevent the control of any bank in this State passing into the hands of those who are not citizens of the State. It has long been desired to limit the denomination of notes the banks may be allowed to issue ; this, if judicially commenced and persevered in, will, it is believed, be attended with favorable results, in restoring and continuing in circulation a greater amount of specie. The re-chartering of our present banks, so far as their issues are concerned, will afford the Legislature opportunity to carry this reform into effect. These remarks and suggestions are made in no spirit of hostility to banks, as such ; they are convenient and useful, when based on substantial capital, and properly conducted. I believe it is the desire of all, to correct abuses wherever they exist, and under safe and strong regulations and restrictions to improve our banking system, rather than to uproot and destroy it.

I have received reports from the Bank Commissioners, in relation to a portion of our banks, and hope, early in the session, to be able to lay before the Legislature their reports on the condition of all the banks in the State.

“ Knowledge and learning generally diffused through a community being essential to the support of a free government,” it is made the duty of the Legislature, by the Constitution, “ to cherish the interests of literature and the sciences.” It is a source of congratulation that our ancestors early adopted the system of free common schools as the best means of promoting the general diffusion of knowledge among all classes of citizens ; the direct tendency of which is to foster and strengthen the feelings of equality, in respect to political rights, and to make that feeling fact which constitutes the main support, and affords the surest guaranty of the preservation of our republican institutions. It is a high satisfaction, that the generous and enlightened principles of the foun-

ders of this admirable system have been, and still are, warmly cherished. Statistics recently furnished, show that our common schools and other institutions of learning in the State have not been left to languish for want of support, but that their benign influence has been felt as generally, and that the benefits of education have been as widely diffused, and as highly appreciated and enjoyed, as in any State in the Union. Much has been done here, as well as elsewhere, in the cause of education ; but doubtless much remains to do. The standard of education in our common schools might well be raised, and improvements in the equality and method of imparting instruction, it is presumed, in many instances, might be adopted. This is said to be an age of improvements ; to attempt to keep our present position merely will be to retrograde ; and we certainly ought to do neither in the matter of endeavoring to improve our moral or social condition. This subject is entitled to your earnest consideration, and in any measures you may propose, conducive to the end desired, I shall be most happy to co-operate.

The State Prison has now been under the charge of the present Warden for one year, and for the most of that time the convicts there confined have been employed directly on behalf of the State. I believe that order and strict discipline have been perseveringly maintained, and that the police of the prison is inferior to that of no other prison in the Union. The State has recently made a considerable outlay, to commence and carry on business in the prison on its own account ; and I trust that, considering the general embarrassments of the times, the result of the measure will be found, at least not to be disastrous. I entertain strong hope that our State penitentiary will yet cease to be a burthen to the treasury, and still answer well the end of its establishment, as a place of strict and secure confinement to hard labor of those whom the laws condemn to be its inmates. The pardoning power, I apprehend, has been too often exercised, not only in this, but other States, towards criminals condemned to ordinary punishment. A pardon has, in consequence, become a matter of hope and of confident expectation to many of those sent to our prison. The influence of this state of feeling is undoubtedly bad in its effects on most convicts. The remedy is easy, and I trust will be adopted. A report from the Warden, detailing more particularly the state and prospects of the institution, may be expected at an early day.

The act of the last Legislature abolishing imprisonment for debt in this State, was undoubtedly just in itself, and in accordance with the principles of humanity, and the spirit of the age.



I rejoice that our statutes are at last freed of the odious principle that visited upon poverty consequences that should attach only to crime. I would here suggest the inquiry, whether some small portions of the uncollected avails of the debtor's labor might not justly and consistently with the best good of community, be exempted from the operation of the trustee process. The beneficial effect of such exemption would be felt by many of the unfortunate debtor class, in the encouragement it would afford them to persevere in their labors to support themselves, and perhaps families whose entire dependence is upon the proceeds of their labor for subsistence. The inquiry I think is one worthy of your consideration, and cannot but hope it may meet a favorable response. But let us not forget, in the meantime that impartiality is an essential constituent in just legislation: that creditors, as well as debtors, have rights that are entitled to equal protection. Some additional enactments to protect the just rights of the former class, to secure the honest and industrious from becoming a prey to the idle and dishonest, will be found necessary. The committee appointed to revise the laws of the State, under instructions by the last Legislature so to do, will probably report for your consideration a code of laws on this subject.

Since the last session of the Legislature, the counties of Belknap and Carroll have been organized and gone into successful operation. Six new terms of the court have thus been created, and may render a new organization of the other terms of the court necessary. I would also suggest to the Legislature, whether, so far as any increase of expense and duties have been imposed upon the court, such allowance should not be made that the compensation of the Judges should continue at least equal to what it was when first established. The subject was under the consideration of the last Legislature, but I believe no definite action was had. We ought to cherish a rigid economy in the administration of all our State affairs—no sinecure offices should be allowed to exist, and no extravagant salaries should be given; but it does seem to me that the compensation to our judicial officers especially, since, besides the natural increase of business, we have imposed additional duties and expense upon them, should, in justice, be increased. I hope this subject will receive and engage the attention of the Legislature, and that it will meet with that favor which I am confident a full examination of its merits will show that it deserves.

By a recent communication from Doctor Jackson, our State Geologist, I am informed he is busily employed in the preparation of his report, which he hopes to have completed before the close

of the session. His "report will embrace the general outlines of the survey, and some of the most important facts which bear upon the economical use of minerals; also a series of very delicate chemical analyses on minerals and soils;" that being desirous of presenting as many accurate analyses as possible he continued his work in the laboratory to the latest moment, and which has consequently delayed an early publication of his report. I retain undiminished confidence, that this survey will disclose great and valuable sources of mineral wealth in the State, beside imparting much useful information to the agricultural interest.

The appropriation for the education of the indigent deaf and dumb has been applied to the object intended; as also, in part, the appropriation for the education of the blind. Of the former class, the applicants are more numerous, and will require at least the full amount appropriated yearly for their benefit. On the other hand, the indigent blind are few in number, and require less at present than the amount of the yearly appropriation for this purpose.

In conclusion, gentlemen, be assured it will give me much satisfaction to unite with you in the adoption of such measures as shall best promote the welfare and prosperity of our fellow citizens.

JOHN PAGE.

State of New Hampshire, }  
Executive Department, June, 1841. }

On motion of Mr. Woodbury—

*Ordered*, That the message of His Excellency the Governor lie on the table, and that the Clerk be directed to procure one thousand printed copies for the use of the House.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution appointing a joint select committee to prepare and report rules for the government of the two Houses the present session, and have on their part joined Mr. Perley."

On motion of Mr. Cheney—

The House adjourned.

FRIDAY, JUNE 4, 1841.

Mr. Griffin from the select committee appointed to invite the several clergymen who are members of the House and the Hon.



Mr. Moore of the Senate to officiate as chaplains during the present session, reported that they had attended to the duty assigned them by giving an invitation to the several reverend gentlemen belonging to the Senate and House of Representatives to officiate as chaplains alternately, that the invitation had been accepted by them, and that they would commence their duties to-morrow morning at the time assigned by a resolution of the House.

On motion of Mr. Cheney—

*Resolved*, That a committee be appointed to inform His Excellency the Governor and the Honorable Council and Senate that prayers will be offered in the Representatives' Hall at a quarter before ten o'clock in the forenoon, on each day of the session, and invite their attendance.

*Ordered*, That Messrs. Smith of Bradford, Hamlin and Johnson be the committee.

On motion of Mr. Wedgwood of Effingham—

*Resolved*, That a select committee be appointed on the part of the House, with such as the Senate may join, to procure three hundred printed copies of the rules of the House and the joint rules of the two Houses, the Constitution of the United States, the Constitution of this State, the names of the several members of the Legislature and its officers, with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session.

*Ordered*, That Messrs. Wedgwood, Gutterson and Baker of Troy be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Ela—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

The following message in writing from His Excellency the Governor was received by the Secretary of State, which was read and is as follows :

*To the Hon. Senate  
and House of Representatives:*

I herewith inclose the annual report of the Warden of the State Prison, accompanied also with the reports of the Physician and Chaplain of the same institution.

JOHN PAGE.

Council Chamber, }

June 4, 1841. }

Mr. Wentworth called for the reading of the report.

On motion of Mr. Colby—

*Ordered*, That His Excellency's message with the accompanying documents lie on the table.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall—

Mr. McDaniel of the Senate, from the committee to whom were referred the returns of votes for Counsellors from the several Counsellor Districts in this State, informed the Convention that said committee were not now ready to report thereon—when,

On motion of Mr. McDaniel of the Senate—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Colby—

The House resumed the consideration of the message of His Excellency the Governor and the accompanying documents.

On motion of Mr. Ela—

*Ordered*, That His Excellency's message lie on the table and that the Clerk be directed to procure five hundred printed copies of the message and accompanying documents for the use of the House.

Mr. Smith of Bradford from the joint select committee appointed to prepare and report joint rules for the government of the two Houses the present session, by leave reported the following

### JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES:

1. When a convention of the two Houses is to be formed whether by requirement of the Constitution, or by a vote or resolve of the two Houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Convention, the rules adopted as the rules of the House, shall be consid-



ered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as a sense of propriety, in each House may determine to be proper.

3. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it may be sent by the door keeper.

4. When bills are on their passage between the Houses, they shall be under the signature of the Clerk of each House respectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said committee, be by them engrossed, carefully examined, and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee to consist of three members of the House and one of the Senate, on each of the following subjects, to wit:

On all matters relative to the State Library, and on all matters relative to the State House and State House yard.

7. When a bill or resolve which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other all papers on which any bill or resolve shall be founded.

9. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least twenty-four hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement, a bill or resolve shall be considered lost.

The foregoing rules having been read—

On motion of Mr. Currier—

*Resolved*, That they be adopted on the part of the House as the joint rules of the two Houses the present session.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bordman of Gilford, from the select committee appointed to prepare and report rules for the government of the House the present session, by leave reported the following:

## RULES FOR THE GOVERNMENT OF THE HOUSE. OF THE DUTY OF THE SPEAKER.

1. The Speaker shall take the Chair precisely at the hour to which the House shall have adjourned, shall immediately call the members to order, and at the commencement of each day's session, shall cause the journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak on points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order subject to an appeal to the House by any two members. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the case may be) say Aye;" and after the affirmative vote is expressed, "As many as are of the contrary opinion say No." If the Speaker doubts, or a division be called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and stand till they be counted, and afterwards those in the negative shall rise, and stand till they be counted. The Speaker shall then rise and state the decision of the House.

3. He shall rise to put a question, but may state it sitting.

4. All committees shall be appointed by the Speaker, unless otherwise directed by the House.

5. The Speaker shall designate to which of the standing committees all memorials, petitions, accounts or other matters shall be referred; unless otherwise ordered by the House.

6. The Speaker shall vote in no case, unless the House be equally divided; or unless his vote, if given to the minority, will make the division equal; and in case of such equal division, the question shall be lost.

7. All acts, addresses and joint resolutions shall be signed by the Speaker; and all writs, warrants or subpoenas issued by order of the House, shall be under his hand and seal, attested by the Clerk.

8. In case of any disturbance or disorderly conduct in the galleries, the Speaker or Chairman of the committee of the whole House, shall have the power to order the same to be cleared.

9. No person but the members and officers of the House, members of the Council, and members of the Senate, the Secretary of the State, Treasurer, and Clerks of the Senate, shall be admitted within the door of the Representatives' Chamber, unless by invitation of the Speaker or of some member of the House with consent of the Speaker, except in public hearings, the parties, their counsel and witnesses.



10. The Speaker shall have power to substitute any member to perform the duties of the chair, such substitution not to extend beyond an adjournment.

#### OF DECORUM AND DEBATE.

11. When any member is about to speak in debate, or deliver any matter to the House, he shall arise from his seat and respectfully address himself to Mr. Speaker.

12. If any member transgress the rules of the House, the Speaker shall, or any other member may call him to order; in which case the member so called to order shall immediately sit down; and the question of order shall then be distinctly stated from the chair; after which the member so called to order, may explain, and the question shall be open to debate, as in other cases, and be decided by the Speaker, whose decision shall be submitted to, unless an appeal be made to the House by a member, in which case, the only question shall be, "Is the Speaker's decision correct?" which shall be decided without debate. If the decision be in favor of the member so called to order, he may proceed; if otherwise, and the case shall require it, he shall be liable to the censure of the House.

13. In all cases, the member first rising shall speak first. When two members rise at the same time, the Speaker shall name the person to speak.

14. No member shall speak more than twice to the same question, without leave of the House, nor more than once until every member choosing to speak shall have spoken; and if a question be lost by adjournment of the House and revived on the succeeding day, no member who shall have spoken thereon twice, on the preceding day, shall be permitted again to speak on it without leave.

15. While the Speaker is putting any question, or addressing the House, no one shall walk out of, or across the House; nor in such case, or when a member is speaking shall entertain private discourse, nor whilst a member is speaking shall pass between him and the chair, nor shall any member leave his seat while the yeas and nays are calling.

16. No member shall vote on any question in the event of which he is directly interested; or in any case where he was not present when the question was put.

17. Every member who shall be in the House, when a question is put, shall give his vote, unless the House, for special reason shall excuse him.

18. No motion shall be debated until the same shall be seconded and stated from the chair—and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the Speaker, or any member, delivered in at the table, and read by the Speaker, before the same shall be debated.

19. No petition shall be received by the House, unless it be presented by a member thereof, and upon motion made for that purpose, nor until the substance of said petition be concisely minuted and the name of the member and the town he represents recorded on the back thereof; and it shall be the duty of the Speaker, whenever any motion relative to a petition is to be stated to the House, to state in the first place the substance of the petition as minuted on the back thereof.

20. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before a division or amendment.

21. When a question is under debate, no motion shall be received, but, 1st—To adjourn; 2d, to lie on the table; 3d, to postpone indefinitely; 4th, to postpone to a day certain; 5th, to commit; and 6th, to amend; which several motions shall have precedence in the order in which they are arranged. Motions to adjourn, and lie on the table, shall be decided without debate.

22. When a question is postponed indefinitely, the same shall not be acted upon during the session.

23. Any member may call for the division of a question, when the sense will admit of it.

24. A motion for commitment, until it is decided, shall preclude all amendment of the main question—and all motions and reports may be committed at the pleasure of the House.

25. No new motion shall be admitted under color of amendment, as a substitute for the motion under debate.

26. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the majority, nor unless notice of such motion be given on the same day on which the vote passed, or on the next day between the hours of ten and twelve o'clock.

27. When the reading of a paper is called for and objected to by any member, it shall be determined by a vote of the House.

28. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees, who have not reported. No member shall nominate more than one person for the same committee, provided the person nominated shall be chosen—nor shall any person



after having been himself appointed, nominate one for the same committee.

29. Each member shall seasonably, and punctually attend his duty in the House; and no one shall absent himself from the service of the House, unless he have leave, or be sick and unable to attend.

30. When the House adjourns, each member shall rise and keep his place, until the Speaker leaves the chair.

31. The Speaker shall appoint a sergeant-at-arms whenever it may be necessary to execute the commands of the House, and process issued by its authority.

#### OF STANDING COMMITTEES.

32. The following standing committees shall be appointed early in the June session;

A committee on Elections; a committee on the Judiciary; a committee on Banks; a committee on the State Prison; and a committee on Public Lands—to consist of ten members each.

A committee on Agriculture and Manufactures; a committee on Finance; a committee on Military Affairs; a committee on Education; a committee on Incorporations; a committee on Towns and Parishes; and a committee on Roads, Bridges and Canals—to consist of nine members each.

A committee on Unfinished Business—to consist of seven members.

A committee on Bills on their Second Reading; a committee on Printer's Accounts; a committee on Military Accounts; and a committee on Claims—to consist of five members each.

A committee on the Alteration of Names, to consist of three members.

It shall be the duty of the committee on Elections, to examine and report upon the certificates or other credentials of the election of the members returned to serve in this House, and to take into consideration all such petitions and other matters, in relation to elections and returns, as shall or may be presented, or come in question, and shall be referred to them by the House.

It shall be the duty of the committee on the Judiciary to take into their consideration all matters in relation to the judiciary system of this State; to examine and report what laws have expired or are near expiring, and require to be revived or further continued, and report their opinion on all constitutional questions that may be referred to them by the House.

It shall be the duty of the committee on Banks to consider all

applications for the incorporation of banks, and all subjects relating to such institutions, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on the State Prison to take into consideration all matters in relation to the State Prison, to examine all the reports and accounts that may be submitted by the Warden, and make such report, either by bill or otherwise, as they think the interest of the State requires.

• It shall be the duty of the committee on Public Lands to consider all proposals and applications for the sale of public lands, and every matter in relation to them, that may be referred to the committee by the House, and to report thereon.

It shall be the duty of the committee on Agriculture and Manufactures, to take into their consideration all matters concerning the agricultural and manufacturing interests of the State, and the incorporation of agricultural societies and factories, that shall be referred to them by the House and to report thereon.

It shall be the duty of the committee on Finance to examine and take into their consideration the state of the treasury; to report what sum it may be necessary to raise as a State tax, and on every subject touching the financial interests of the State, that may be referred to them by the House.

It shall be the duty of the Military committee to consider all applications for altering or amending laws regulating the militia of this State, and for the removal of militia officers, and to report thereon.

It shall be the duty of the committee on Roads, Bridges and Canals, to consider all applications for the incorporation of turn-pikes, railroads, bridges or canals, and for the alteration of tolls, and all matters relative thereto, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Education, to consider all subjects relative to the regulation of school districts and schools, and all matters concerning education that may be referred to them by the House, and report thereon.

It shall be the duty of the committee on Towns and Parishes, to consider all applications for the incorporation of towns or parishes, for the alteration of town or parish lines, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Incorporations to consider and report on all applications for acts of incorporation, and all other matters which may come in question relative to bodies corporate, that may be referred to them by the House,



excepting those relating to towns, parishes, turnpikes, railroads, canals, banks, agricultural societies and factories.

It shall be the duty of the committee on Unfinished Business, to examine and report from the journals of the last session, all such matters as were then pending and undetermined.

It shall be the duty of the committee on bills on their second reading to take into consideration all bills on their second reading, that may be committed for amendment, or otherwise, and to make such report thereon as they may think expedient.

It shall be the duty of the committee on Printers' Accounts to examine and adjust all accounts against the State for printing, and every subject relating to such accounts, that may be referred to them by the House, and to report thereon.

It shall be the duty of the committee on Military Accounts, to examine, adjust and report on all accounts relative to the militia, that may be referred to them by the House.

It shall be the duty of the committee on Claims to audit, adjust and report on all accounts and claims that may be presented for allowance, except accounts for printing, military accounts, and accounts for engrossing bills.

33. All other committees shall consist of three members, unless otherwise ordered.

34. The standing committees shall attend at their respective committee rooms, two hours before the meeting of the House in the morning, and at such other times as the House shall order, and no committee shall sit during the sitting of the House, unless when the Speaker shall consider it to be necessary.

35. The first named member of any committee appointed by the Speaker of the House, shall be the chairman; and in case of his absence or being excused by the House, the next named member, and so on as often as the case shall happen, unless the committee, by a majority of the number, elect a chairman. And when any committee shall report otherwise than by bill, they shall, if the subject admit of it, subjoin to their report a resolution making such disposition of the matter committed to them, as to the committee shall seem expedient.

#### ON BILLS.

36. Every bill shall be introduced by motion for leave or by an order of the House, on the report of a committee; and no bill shall be introduced by any member, (except on the report of a committee) unless he shall have given at least one day's notice of his intention, and of the object of the bill to be introduced.

37. Every bill shall receive three several readings in the House previous to its passage. The first reading shall be for information and if not rejected, it shall be immediately read a second time by its title, and be by the Speaker referred to the appropriate standing committee, unless otherwise ordered by the House; and upon the report of the committee, if not rejected, or committed, or postponed, or laid on the table, a time shall be assigned for the third reading of the bill, which shall be on some subsequent day; and all bills for a third reading shall be assigned for three o'clock in the afternoon, unless otherwise ordered by the House.

38. Before any bill, resolution or vote, shall be sent to the Senate, the Speaker shall read the vote, resolution, or title of the bill. All bills and all votes and resolutions that are necessary to be carried to the Senate for their concurrence may be sent by the assistant clerk.

#### OF COMMITTEES OF THE WHOLE HOUSE.

39. The House may resolve itself into a committee of the whole House, at any time; on the motion of a member made for that purpose; and in forming a committee of the whole House, the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

40. Upon bills and resolutions committed to a committee of the whole House, the bill or resolution shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble of bills to be last considered; the body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report the bill or resolution shall again be subject to be debated and amended by clauses, before a question to pass it to a third reading be taken.

41. The rules of proceeding in the House, shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking.

42. No standing rule or order of the House, shall be rescinded, without one day's notice being given of the motion therefor; nor suspended, unless by a vote therefor of two thirds of the members present.



# ORDER OF BUSINESS OF THE DAY.

43. As soon as the journal is read, the Speaker shall call for petitions from the members of the respective counties, beginning with the county of Rockingham. The petitions having been presented and disposed of, reports, first from the standing, and then from the select committees shall be called for and disposed of. And the above business shall be done in no other part of the day, except by permission of the House.

44. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference over all other business, except the general orders of the day, and no motion on any other business, except the general orders of the day, shall be received, without special leave of the House, until the former is disposed of.

45. No amendment shall be made but upon the second reading of a bill or joint resolution, and all resolutions shall be in writing with the name of the member and the town he represents on the back thereof.

Mr. Stickney moved that the report be amended by inserting after the word "committee" in the 7th line of the 37th rule as reported by said committee, the words "except when reported by some standing committee."

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Blaisdell moved that the report be further amended by striking out the whole of the 37th rule as reported by said committee and inserting instead thereof the following:

"37. Every bill shall receive three several readings in the House previous to its passage: the first reading shall be for information, and if not rejected, a time shall be assigned for a second reading, and upon the second reading if not rejected or committed or postponed or laid on the table, a time shall be assigned for the third reading. And in all cases the time assigned for the third reading of a bill shall be on some subsequent day. And all bills for a second reading shall be assigned for eleven o'clock in the forenoon, and all bills for a third reading, for three o'clock in the afternoon, unless otherwise ordered by the House."

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Pierce of Dover moved that the report be further amended by striking out the 45th rule as reported by the committee.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Ela moved that said rules as amended be adopted as the rules for the government of the House for the present session.

And the question being put,

It was decided in the affirmative.

So said rules were thus adopted.

On motion of Mr. Griffin—

The House adjourned.

## AFTERNOON.

A message from the Senate by their Clerk:

“Mr. Speaker:—The Senate have adopted the joint rules reported by the joint select committee appointed for that purpose, for the government of the two Houses the present session.”

Agreeably to the rules of the House the Speaker announced the appointment of the following

## STANDING COMMITTEES.

### *On Elections.*

Messrs. Smith of Bradford, Gibson of Pelham, Curry, Copeland, Griffin, Stevens of Lyman, Stickney, Goldthwait, Pitman, Clough of Barrington.

### *On the Judiciary.*

Messrs. Baker of Hillsborough, Loughton, Sawyer of Nashua, Robinson of Concord, Morrison of Manchester, Parker of Fitzwilliam, Swasey, Hall of Tamworth, Merrill, Tudor.

### *On Banks.*

Messrs. Waldron, Bordman of Gilford, Sawyer of Dover,



Pierce of Hillsborough, Porter, Spalding, Patten of Hancock, McGrath, Pattée, Leavitt.

*On the State Prison.*

Messrs. Treadwell, Blodgett of Canaan, Latham, Shute, Burley of Franklin, Morrill of Boscawen, Norris, Dearborn, Little, Greene.

*On Public Lands.*

Messrs. Wentworth, Young of Stewartstown, Peabody, Brown of Seabrook, Allen of Lee, Coolidge, Eastman, Calley, Crawford, Breck.

*On Roads, Bridges and Canals.*

Messrs. Perrin, Towle of Hampton, Chandler, Kingsbury of Alstead, Smith of Haverhill, Ames, Woodbury, Wedgewood, Bingham.

*On Towns and Parishes.*

Messrs. Ela, Stevens of Goffstown, McDuffie, Ladd of Epping, Brown of Chester, Weeks of Richmond, Farley, Whidden, Hamilton.

*On Education.*

Messrs. Hoyt of Northfield, George of Salisbury, Blaisdell, Boardman of Lyndeborough, Davis of Antrim, Morrison of Portsmouth, Baldwin, Stark, Pierce of Dover.

*On Incorporations.*

Messrs. Haley, Carter, Scribner, Lathrop, Locke of Alexandria, Knight, Odlin, Tebbetts, Humphrey.

*On Agriculture and Manufactures.*

Messrs. Colby, Towle of Freedom, Stevens of Mason, Perkins, Wheeler of Keene, Emerton, Baker of Troy.

*On Finance.*

Messrs. Ayer, Morrill of Somersworth, Demeritt, Pickering, Wallace of Amherst, Page of Benton, Morse.

*On Military Affairs.*

Messrs. Sanborn of Deerfield, Young of Meredith, Robinson of Poplin, Blake, Patten of Candia, Townsend, Doe.

*On Unfinished Business.*

Messrs. Thompson of Salem, Wiggin of Portsmouth, Harmon, Wilcomb, Ballou, Allen of Lebanon, Witham.

*On Bills on their Second Reading.*

Messrs. Currier of Newtown, Thayer, Adams of Springfield, George of Plaistow, Cross.

*On Printers' Accounts.*

Messrs. Batchelder of Hampstead, Beard, Blodgett of Dorchester, Prescott, Locke of New Durham.

*On Military Accounts.*

Messrs. Burnham, Robinson of Brentwood, Rawlins of Deerfield, Day, Glidden.

*On Claims.*

Messrs. Bruce, Taylor, Batchelder of Northampton, Fifield, Ferrin.

*On the Alteration of Names.*

Messrs. Silsby, Palmer, Grannis.

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JOINT COMMITTEES.

*On Engrossed Bills.*

Messrs. Wight, Lang.

*On the Library.*

Messrs. Cheney, Flanders, McMillen.

*On the State House and State House Yard.*

Messrs. Page of Sutton, Willey, Hoit of Concord.



On motion of Mr. Spalding of Nashua—

*Resolved*, That the House are now ready to meet the Senate in convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

### IN CONVENTION.

The Senate and House of Representatives being assembled in convention in the Representatives' Hall—

Mr. McDaniel of the Senate, from the joint select committee appointed to receive the returns of votes for Counsellors from the several counsellor districts in this State with instructions to count them and compare and cast their numbers,

### REPORTED,

That in district No. 1, the whole number of votes is	11,051
Necessary to a choice	5,526
Moses Norris, Jr. has	5,228
Moses Norris has	1,051
Arthur Branscomb has	4,628
Frederick Sanborn has	134
Estimated as scattering	10
No choice.	

In District No. 2, the whole number of votes is	10,457
Necessary to a choice	5,229
Estimated as scattering	27
Josiah Dearborn has	277
Jeremiah Wilson has	4,299
Henry B. Rust has	5,854
and is elected.	

In District No. 3, the whole number of votes is	11,874
Necessary to a choice	5,938
Estimated as scattering	6
Israel Herrick has	313
Henry B. Chase has	4,397
John H. Steele has	7,158
and is elected.	

In District No. 4, the whole number of votes is	8,964
Necessary to a choice	4,488

Scattering	2
Samuel Griffin has	262
Samuel Edgerton has	4,160
Phinehas Handerson has	4,540
and is elected.	

In District No. 5, the whole number of votes is	9,374
Necessary to a choice	4,688
Estimated as scattering	28
John White has	11
Edmund Carleton has	173
Isaac Abbott has	3,291
John H. White has	5,871
and is elected.	

The votes of the town of Salem in District No. 1, for Moses Norris, Jr. 140, Arthur Branscomb 133, Frederick Sanborn 12; and the votes of the town of Thornton in District No. 5, for John H. White 136, for Isaac Abbott 58, all included in the above estimate, were not received by the Secretary of State within the time prescribed by the Constitution.

The votes for Moses Norris in District No. 1, were returned from the towns of Epsom, New Market, Portsmouth and Sandown, and none were returned from those towns for Moses Norris, Jr. Those for John White in District No. 5, were returned from the town of Waterville, and none were returned from that town for John H. White; of the 28 votes estimated as scattering in the same district, 27 are returned from Hart's Location and 7 more being returned from that place for Isaac Abbot, gives 34 votes as the number returned from that place. Most of the returns are deficient in some one or more of the particulars required by the act passed at the last session of the Legislature, relating to the return of votes and making further provision for certifying the same. That act requires, 1st, that the record and certificate be made up by the town clerk in the presence of the moderator and of such of the selectmen as attended at the giving in and counting of the votes. 2d, that the moderator and selectmen shall attest the correctness of the certificate by their own signatures, and 3d, that the certificate shall be attested by the clerk and sealed up by him in presence of said moderator and selectmen. The returns from ten towns only, to wit, Derry, Londonderry, New Castle, Portsmouth, Amherst, Nashua, Chesterfield, Marlow, Swanzey and Westmoreland comply in all respects with these requisitions. The returns from all the other towns and places are



defective in one or more of the particulars required ; numbers of them are without the attestation of the selectmen and moderator ; others show that the certificate was made in presence of the moderator and selectmen, and others containing their attestation of the correctness of the copy of the record, do not show that the record itself was made in their presence, and all these defective returns with one exception are without any certificate showing that they were sealed up in presence of the moderator and selectmen.

Which report was accepted.

Whereupon—

*Resolved*, That the returns of votes for Counsellors from the towns and places composing District No. 1, be laid upon the table.

*Resolved*, That process be issued requiring the town clerks of the towns of Epsom, New Market, Portsmouth, Sandown and Waterville to appear before the Senate and House of Representatives in Convention assembled on Thursday the 10th day of June instant, to amend their respective certificates or returns of votes for Counsellor and the town records of said votes.

On motion of Mr. McDaniel of the Senate—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Spalding—

*Resolved*, That a committee be appointed, on the part of the House with such as the Senate may join, to wait upon His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, viz:

Henry B. Rust, for District No. 2,

John H. Steele, “ “ No. 3,

Phineas Handerson, “ “ No. 4,

John H. White, “ “ No. 5,

*Ordered*, That Messrs. Spalding, Smith of Haverhill, and Haines be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Blake—

*Resolved*, That a select committee be appointed on the part of the House with such as the Senate may join, to assign committee rooms to the several standing committees.

*Ordered*, That Messrs. Wiggin of Ossipee, Jones of Washington and Johnson be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Bruce—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to audit the accounts of the Treasurer of this State.

*Ordered*, That Messrs. Treadwell, Swasey and Stickney be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution appointing a joint select committee to procure three hundred printed copies of the rules of the House of Representatives, and the joint rules of the two Houses, the constitution of the United States, the constitution of this State, the names of the several members of the Legislature and its officers, with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session, and have on their part joined Mr. Belding.”

Mr. Bordman of Gilford gave notice that he will on Tuesday next ask leave to introduce a bill to annex certain islands in Winnipisseogee Lake to Belknap county.

On motion of Mr. Thayer—

*Resolved*, That each member of the House be required to leave with the doorkeeper his name, place of residence and boarding house, immediately after the adjournment this afternoon.

On motion—

The House adjourned.

SATURDAY, JUNE 5, 1841.

James H. Bingham of Claremont having been duly qualified as a representative from that town, was introduced by the Secretary of State and took his seat.

Mr. Whitcomb presented the petition of Asahel Dodge, praying for a redress of wrongs in certain cases.

*Ordered*, That it be referred to the committee on the Judiciary.



Mr. Morrill of Boscawen presented the petition of Caroline Choate;

Mr. Currier presented the petition of Daniel Kimball;

Praying for the alteration of their respective names.

*Ordered*, That they be referred to the committee on the Alteration of Names.

Mr. Gibson of Newbury submitted the following resolution:

*Resolved*, That the committee on the Judiciary be instructed so to alter or amend the 5th section of an act passed July 2, 1829, entitled "An act regulating the assignment of dower that twenty years lawful title or possession under the person or persons from whom any grantee may respectively claim, shall forever exclude all right of dower to lands or dowable estate whereto a deceased husband lost or parted with his title."

Mr. Sawyer of Nashua moved that the resolution be amended by striking out the words "so to alter or amend" and inserting instead thereof the words "to inquire into the expediency of so amending."

Which amendment was accepted by the mover.

On the question, shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

On motion of Mr. Treadwell—

*Resolved*, That Robert Morrison a member of this House from the town of Portsmouth have leave of absence from and after this day, and that the Clerk make up the pay roll accordingly.

On motion of Mr. Swasey—

*Resolved*, That the use of the Representatives' Hall be allowed to the Concord Brass Band on Wednesday evening next for the purpose of giving a concert of instrumental and vocal music.

On motion of Mr. Norris—

*Resolved*, That a select committee be appointed to take into consideration the message of his Excellency the Governor, and report what disposition shall be made of the several subjects embraced therein.

*Ordered*, That Messrs. Whittemore, Wentworth and Rollins of Barnstead be the committee.

A message from the Senate by their Clerk:

"Mr. Speaker:—The Senate concur with the House of Representatives in the passage of a resolution appointing a joint select committee to wait on his Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, viz:

Henry B. Rust, for District No. 2,  
 John H. Steele, " " No. 3,  
 Phinehas Handerson, " " No. 4,  
 John H. White, " " No. 5,  
 and have on their part joined Mr. Hatch.

The Senate concur with the House in the passage of a resolution appointing a joint select committee to audit the accounts of the Treasurer of this State, and have on their part joined Mr. Pickering."

On motion of Mr. Sawyer of Nashua—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of extending the rights and liabilities of married women so as to secure to the wives of aliens and of citizens of other States living in this State, separate from their husbands, the property which they may acquire here, and the custody of those minor children born in this country and to render them liable upon their contracts.

On motion of Mr. Currier—

*Resolved*, That when the House adjourn this forenoon it adjourn to meet on Monday next at three o'clock in the afternoon.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution appointing a joint select committee to assign committee rooms to the several standing committees and have on their part joined Mr. Nettleton."

On motion of Mr. Colby—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending or repealing the first section of an act entitled "An act relating to the return of votes and making further provision for certifying the same," approved Dec. 22, 1840, and report by bill or otherwise.

On motion of Mr. Treadwell—

The House adjourned.

MONDAY, JUNE 7, 1841.

Mr. Dearborn presented the petition of Edmund Cook and others, praying for the incorporation of the Campton Village Manufacturing Company.



*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Wilcomb presented the petition of Orin Garnsey and 20 others, inhabitants of Franconia and Lisbon, praying for the severance of a portion of territory from Lisbon and annexing the same to Franconia.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Goldthwait presented the petition of the field officers of the 31st regiment of N. H. militia, praying for the removal of an officer;

Mr. Mason presented the petition of Charles W. Pierce, praying for the removal of an officer;

Mr. Buzzell presented the petition of Jonathan Buzzell, Colonel of the 33d regiment of the N. H. militia, praying for the removal of an officer;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Wilcomb presented the petition of Wesley W. Crouch;

Also, the petition of Elijah Spooner and Roxana Spooner;

Mr. Steele presented the petition of Joseph Glines;

Mr. Torr presented the petition of Nath'l Wentworth Goodwin;

Mr. George of Plaistow presented the petition of Jason R. Ricker, praying for the alteration of their respective names;

Mr. Batchelder of Marlborough presented the petition of John Lewis, praying for the alteration of the name of Edwin Harrington.

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Wiggin of Ossipee from the joint select committee appointed to designate committee rooms for the several standing committees, reported the following resolutions:

*Resolved by the Senate and House of Representatives*, That committee rooms numbered 6, 7, and 8, be occupied by the committees of the Senate, and the following rooms by the committees of the House of Representatives:

No. 1. By committees on Elections and Banks.

No. 2. By committees on Incorporations and the Alteration of Names.

No. 3. By committees on Agriculture and Manufactures, and on Finance.

No. 4. By committees on Roads, Bridges and Canals, and on Public Lands.

No. 5. By committees on Claims and on Printers' Accounts.

No. 9. By committees on Unfinished Business and on bills on their second reading.

No. 10. By committee on the Judiciary.

No. 11. By committees on Military Affairs and on Military Accounts.

No. 12. By committees on Education and on the Library and on the State Prison.

No. 13. By committees on Towns and Parishes and by the select committees.

No. 6. By the joint committee on Engrossed Bills.

No. 8. By the committee on the State House and State House Yard.

Which was read.

Mr. Spalding from the joint select committee appointed to wait upon His Excellency the Governor and inform him of the election of Counsellors from districts numbered 2, 3, 4, and 5, reported that they had attended to the duty assigned them.

Which report was accepted.

In pursuance of a law of this State passed Nov. session 1840,

The Speaker announced the appointment of Messrs. Colby and Ainsworth as members of the joint standing committee on the Library, on the part of the House.

The Speaker laid before the House a report and sundry resolutions adopted by the Legislature of the State of Maine respecting the North Eastern Boundary.

Mr. Robinson of Concord called for the reading of the resolutions.

Which were read.

On motion of Mr. Robinson of Concord—

*Ordered*, That said report and resolutions be referred to a select committee.

On motion of Mr. Treadwell—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hall gave notice that he will on Wednesday next ask leave to introduce a bill entitled "an act for the more speedy settlement of insolvent estates in certain cases."



## IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall, John Bennett, town clerk of the town of Portsmouth appeared before the Convention.

On motion of Mr. Renton of the Senate—

The Convention resumed the consideration of the certificate or return of votes given in at Portsmouth for Counsellor on the second Tuesday of March last.

On motion of Mr. Gregg of the Senate—

*Resolved*, That the Convention now proceed through their Chairman to propound such interrogatories to said town clerk touching his record and return of the votes given in at Portsmouth for Counsellor on the second Tuesday of March last, as may be deemed proper, and that said town clerk may answer upon oath to such interrogatories as may be put to him by the Convention or by their order.

The Convention accordingly proceeded to the examination of said town clerk.

Said John Bennett, having been duly sworn,—in reply to the question whether he had made any mistake in making up the record of the votes cast in said town of Portsmouth for Counsellor on the second Tuesday of March last, or whether he had made any mistake in his return of said votes—and if so, what that mistake was?—answered that he had made a mistake both in his said record and return by omitting to enter therein the word “jr.” after the words “Moses Norris.”

In reply to the question whether any votes were cast for Moses Norris at said town meeting,—he answered that there were not.

In reply to the question whether any votes were cast for “Moses Norris, jr.” at said town meeting,—he answered, that 673 votes were cast for Moses Norris, jr.

On motion of Mr. Renton of the Senate—

*Resolved*, That said town clerk be permitted to amend his record and return according to the fact.

Said town clerk then amended his record and return accordingly by inserting therein the word “jr.” after the words “Moses Norris.”

On motion of Mr. Hatch—

*Resolved*, That said town clerk be discharged from farther examination and attendance.

On motion of Mr. Treadwell of the House—

The convention proceeded to read and record said return of votes from the town of Portsmouth, as amended.

On motion of Mr. Treadwell—

The convention resumed the consideration of the returns of votes for Counsellor from the remaining towns in District No. 1.

On motion of Mr. Treadwell—

*Resolved*, That said returns of votes from District No. 1, be recommitted to the committee who have had the same under consideration.

On motion of Mr. Hatch of the Senate—

The Convention rose and the Senate withdrew.

# IN HOUSE OF REPRESENTATIVES.

Mr. Perrin submitted the following resolution:

*Resolved*, That the use of the Representatives' Hall be granted to none during the present session except for literary purposes and subjects connected with legislation.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That said resolution be laid on the table.

On motion of Mr. Baker of Hillsborough—

The House rescinded the vote of Saturday, the 5th instant, adopting the following resolution:

*Resolved*, That the use of the Representatives' Hall be allowed to the Concord Brass Band on Wednesday evening next for the purpose of giving a concert of vocal and instrumental music."

On motion of Mr. Blaisdell—

The House resumed the consideration of the resolution which was introduced by Mr. Perrin.

Mr. Ela moved that the resolution be amended by striking out the words "for literary purposes and".

And the question being put,

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Treadwell moved that the resolution be amended by inserting after the word "literary" the word "religious".

And the question being put—

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.



On the question, shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Wedgewood from the committee appointed to procure three hundred printed copies of the rules of the Senate and House of Representatives, and the joint rules of the two Houses, the constitution of the United States, the constitution of this State, the names of the several members of the Legislature and its officers, with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session, by leave, reported that they had attended to the duty assigned them—and that said copies are with the door-keepers ready for the use of the House.

Which report on motion of Mr. Merrill was accepted.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That a select committee be appointed on the part of the House with such as the Senate may join, for the purpose of fixing on a day on which the business of the present session may be brought to a close.

*Ordered*, That Messrs. Rand, Goodwin, and Parker of Littleton be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Baker of Troy—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of enacting a law making it the duty of the selectmen of the several towns in this State to tax all property left by a will, gift or bequest where a contingency is implied or where the property descends to the other heirs in case of the decease of the minor, and that the guardian of said minor or executor be allowed the said taxes on settlement, and that they report by bill or otherwise.

On motion—

The House adjourned.

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TUESDAY, JUNE 8, 1841.

Laurens A. Grannis who had been duly qualified as a representative from the town of Claremont was introduced by the Secretary of State, and took his seat.

Mr. Goodale presented the petition of John Gove;

Mr. Patten presented the petition of Baxter Symonds;

Mr. Noyes presented the petition of John Brown, 3d;

Mr. Webster presented the petition of George French;

Mr. Morrison of Sanbornton presented the petition of Jacob T. Dolloff;

Mr. Woodbury presented the petition of Albert Alcock and seven others praying for the alteration of their respective names;

Mr. Page of Sutton presented the petition of Rodney J. Bingham praying for the alteration of the name of an adopted son;

Mr. Hoyt of Northfield presented the petition of Harrison Arlin, praying for the alteration of the names of himself and family;

Mr. Wentworth presented the petition of William L. Horn, praying for the alteration of the names of himself and family;

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Bordman of Gilford presented the petition of Samuel Osgood and another praying to be disannexed from the town of Gilmanston and annexed to the town of Gilford;

Mr. Waldron presented the petition of Richard Pickering, praying to be disannexed from the town of Newington and annexed to the town of Portsmouth;

Mr. Goodwin presented the petition of J. F. A. Peabody and others, inhabitants of the towns of Wentworth and Rumney, praying for the incorporation of a school district;

*Ordered*, That said petitions be referred to the committee on Towns and Parishes.

Mr. Haines presented the petition of Ross C. Haines and others, praying that the town of Pittsburgh, and the place called Clarksville be disannexed from the places called Millsfield, Dixville and Errol, and that said town of Pittsburgh and the place called Clarksville be permitted to elect and send a representative to the General Court;

*Ordered*, That it be referred to the committee on Elections.

Mr. McMillen presented the petition of N. C. Crombie and others praying for an act of incorporation of a Mutual Fire Insurance Company in New Boston;

Mr. Moulton presented the petition of Lorenzo Dow and others praying for the incorporation of a Band of Martial Music;

*Ordered*, That said petitions be referred to the committee on Incorporations.

Mr. Wheeler of Keene presented the memorial of George D. Dort and others;

Also the memorial of Stephen Smith and others;

Also the memorial of Levi Chamberlain and others;



Also the memorial of Robert Wilson and others;

Also the memorial of Joshua D. Blake and another;

Also the memorial of William Sebastian, remonstrating against the granting of the prayer of the petition of Levi Barker and others for the removal of Jarius M. Snow Major of the 20th Regiment N. H. Militia;

Mr. Haley presented the petition of the field officers of the 27th Regiment praying for the removal of an officer;

Mr. Day presented the petition of Prescott Lovejoy and others, praying for the removal of an officer;

Mr. Willey presented the petition of John Marston and others, praying for an alteration of the Militia law;

Mr. Jones of Farmington presented the petition of the officers of the 39th regiment, praying for the removal of an officer;

Mr. Paine presented the petition of the 5th Company of Infantry in the 19th regiment N. H. Militia, praying that said company be disannexed from the 19th and annexed to the 29th regiment;

Mr. Young of Meredith presented the petition of Smith M. Glidden and others, praying for an appropriation for musical instruments;

Mr. Bruce presented the petition of the officers and privates of the Cavalry Company annexed to the 5th regiment N. H. Militia, praying for legislative aid;

*Ordered*, That said memorials and petitions be referred to the committee on Military Affairs.

Mr. Haines presented the petition of Nathaniel Perkins and others, praying for the taxation of non-resident proprietors or owners of unsettled lands;

Mr. Allen of Lee presented the petition of George Lang and others, praying that collectors of taxes may be compelled to give bonds;

Mr. Davis of Keene presented the petition of Levi Willard and others, praying for an alteration of the law so as to permit persons to send to schools in all districts where they pay taxes.

*Ordered*, That said petitions be referred to the committee on the Judiciary.

A message from the Senate by their Clerk:

"Mr. Speaker:—The Senate concur with the House of Representatives in the passage of a resolution appointing a committee for the purpose of fixing on a day on which the business of the present session may be brought to a close, and have on their part joined Mr. Johnson."

Mr. Waldron presented the report of the Eastern Railroad.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

The House adopted the resolution reported by the joint select committee appointed to designate committee rooms to the several standing committees.

*Ordered*, That the Clerk notify the Honorable Senate accordingly.

Mr. Waldron gave notice that he will to-morrow ask leave to introduce a bill entitled "An act in addition to several acts incorporating the Eastern Railroad in New Hampshire."

Mr. Waldron also gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to continue corporations for three years for certain purposes."

Mr. Robinson of Concord by leave presented the memorial of Joshua Leavitt, setting forth the importance of an equitable and adequate market for American wheat, accompanied with statistical tables.

On motion of Mr. Smith of Bradford—

*Ordered*, That said memorial be referred to a select committee.

*Ordered*, That Messrs. Chandler, Ayer, and Waldron be the committee.

The following message in writing was received from His Excellency the Governor, by the Secretary of State—

Which was read, and is as follows:

*"To the Honorable Senate,  
and House of Representatives:*

I herewith transmit the quarterly returns of the Banks in this State made by the Cashiers thereof under the act of July 4, 1838, so far as they have been received by the Secretary of State.

JOHN PAGE.

*Executive Department, }  
June 8, 1841."*

On motion of Mr. Spalding—

*Ordered*, That His Excellency's message, with the accompanying documents be referred to the committee on Banks.

A further message in writing from His Excellency the Governor was received, by the Secretary of State—

Which was read and is as follows:

*"To the Honorable Senate,  
and House of Representatives:*

I herewith communicate sundry resolutions passed by the legis-



latures of Delaware, Pennsylvania, Indiana, New York and Massachusetts, relative to the proceeds of the sales of the public lands.

Also resolutions of the States of Maine, Kentucky, Massachusetts, Indiana and Delaware, relative to an amendment of the Constitution of the United States.

Also resolutions of Alabama and Maryland, relative to fugitives from justice.

Also resolutions of Maryland and Massachusetts relative to the N. E. Boundary.

Also resolutions of Alabama, relative to an exchange of the reports of the Supreme Judicial Courts.

Also the memorial of Alexander Vattermare and accompanying papers relating to public libraries, which I am requested to lay before the Legislature of this State.

JOHN PAGE.

*Executive Department,* }  
*June 8, 1841."* }

On motion of Mr. Blaisdell—

*Ordered*, That the resolutions passed by the legislatures of Delaware, Pennsylvania, Indiana, New York and Massachusetts, relative to the proceeds of the sales of the public lands;

The resolutions of the States of Maine, Kentucky, Massachusetts, Indiana and Delaware relative to the amendment of the constitution of the United States;

The resolutions of Alabama and Maryland relative to fugitives from public justice; and

The resolutions of Alabama relative to an exchange of the reports of the supreme judicial courts, be referred to the committee on the Judiciary.

That the resolutions of Maryland and Massachusetts relative to the North Eastern Boundary, be referred to the select committee who have that subject under consideration, and that

The memorial of Alexander Vattermare and accompanying papers relating to public libraries, be referred to the committee on the Library.

Mr. Clark by leave presented sundry resolutions passed by the citizens of Landaff relating to salaries of public officers, banks, railroads and other corporations.

Which were read.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That they lie on the table.

On motion of Mr. Currier—

*Resolved*, That the select committee to take into consideration

the communication from the Governor of Maine with the accompanying documents, relating to the North Eastern Boundary shall consist of ten members.

*Ordered*, That Messrs. Robinson of Concord, Gibson of Newbury, Steele, McGaw, Young of Barnstead, Prentiss, Beacham, Goodale, Parker of Littleton and Wheeler of Milan be the committee.

On motion of Mr. Bruce—

*Resolved*, That a committee consisting of one from each senatorial district be appointed to take into consideration the expediency of districting the State anew for the choice of Senators and report by bill or otherwise.

*Ordered*, That Messrs. Bruce, Loughton, Currier of Newtown, Chandler, Carter, Rollins of Barnstead, Curry, Thompson of Warner, Parker of Fitzwilliam, Kingsbury, Goodwin and Pitman be the committee.

Mr. Chandler gave notice that he will to-morrow ask leave to introduce a bill entitled "An act relating to railroad corporations."

On motion of Mr. Foss—

*Resolved*, That the committee on Roads, Bridges and Canals be instructed to take into consideration the expediency of making further provision for the security of our citizens against the damages to which they are exposed in their persons and property by railroad cars crossing our public roads and streets, and report by bill or otherwise.

On motion of Mr. Ela—

*Resolved*, That the committee on the Judiciary be instructed to inquire and report to this House whether there is any law of this State in existence authorizing the Court of Common Pleas to pay out of the several county treasuries to the Solicitors in their respective counties the sum of fifty dollars for each term of attendance upon said court in the absence of the Attorney General, besides two dollars per day allowance as commissioners.

*Resolved*, That said committee be instructed to inquire into the expediency of equalizing the sums to be paid to the several County Solicitors in their respective counties, for their attendance upon court, in the absence of the Attorney General, and that the same be deducted out of the salary of the Attorney General, or paid out of the State treasury instead of the several county treasuries, and report by bill or otherwise.

Mr. Tudor gave notice that he will to-morrow ask leave to introduce a bill entitled "An act more effectually to guard against and prevent the loss of baggage by the public conveyances."

*Submitted for* The House adjourned.



## AFTERNOON.

Mr. Peirce of Dover presented the second annual report of the directors of the Boston and Maine Railroad.

On motion of Mr. Spalding—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Spalding presented the sixth annual report of the Nashua and Lowell Railroad Corporation;

Also the report of the commissioners upon the division of the cost of said road between the States of New Hampshire and Massachusetts;

On motion of Mr. Spalding—

*Ordered*, That said reports be referred to the committee on Roads, Bridges and Canals.

Mr. Bordman of Gilford gave notice that he will to-morrow ask leave to introduce a bill more effectually to define, detect and punish nocturnal depredations.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have passed the joint resolution reported by the joint select committee appointed to assign committee rooms to the several standing committees of both branches of the Legislature.”

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That a committee of two be appointed on the part of the House, with such as the Senate may join, to propound such questions as may be deemed proper, to the delinquent town clerks who have been summoned to appear before the Senate and House of Representatives in Convention assembled on Thursday next.

*Ordered*, That Messrs. Sanborn of Deerfield and Sawyer of Nashua be the committee on the part of the House.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Parker of Fitzwilliam submitted the following resolution:

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

On motion of Mr. Spalding—

*Ordered*, That the resolution lie on the table.

Mr. Bordman of Gilford gave notice that he will on Thursday next ask leave to introduce a bill in addition to an act constituting the counties of Belknap and Carroll.

Mr. Ayer gave notice that he will to-morrow ask leave to introduce a bill to render void all settlements of paupers gained under any law of this State passed prior to the year 1796.

Mr. Bruce gave notice that he will on Thursday next ask leave to introduce a bill entitled "An act relating to passenger carriers."

On motion of Mr. Pickering—

The House adjourned.

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WEDNESDAY, JUNE 9, 1841.

Daniel M. Christie having been duly qualified as a representative from the town of Dover was introduced by the Secretary of State and took his seat.

Mr. Whitcomb presented the account of Elijah Carpenter.

*Ordered*, That it be referred to the committee on Claims.

Mr. Prentiss presented the petition of Levi Denison and others;

Mr. Kingsbury presented the petition of James Chandler and others;

Praying for encouragement to silk growers.

*Ordered*, That said petitions be referred to the committee on Agriculture and Manufactures.

Mr. Witham presented the petition of John Greenfield and others, praying for a railroad from Great Falls to Rochester;

Mr. Chandler presented the petition of William P. Riddle and others, praying for an amendment of the charter of the Granite Bridge.

*Ordered*, That said petitions be referred to the committee on Roads, Bridges and Canals.

Mr. Thompson of Wolfborough presented the petition of William Horne and others, praying for the annexation of a part of the towns of New Durham and Alton to the town of Wolfborough.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Hoit of Concord presented the petition of Joel S. Morrill and others, praying for the incorporation of Fire Engine Company No. 7 in the town of Concord.

*Ordered*, That it be referred to the committee on Incorporations.

Mr. Robinson of Concord presented the petition of sundry



officers of the 20th regiment, praying for the removal of an officer, with accompanying papers;

Mr. Bruce presented the petition of D. W. Baker and others, praying for legislative aid to the several cavalry companies in this State;

Mr. Smith of Haverhill presented the petition of Calvin Keyes and others praying for the removal of an officer;

Also the petition of A. P. Goold, lieutenant colonel of the 13th regiment and others, praying for the removal of an officer;

*Ordered*, That said petitions, with the accompanying papers, be referred to the committee on Military Affairs.

Mr. Young of Meredith presented the memorial of Olive Graves, praying for redress of grievances against the Avery Factory Company at Meredith.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Thompson of Wolfborough presented the petition of Joseph F. Langley;

Mr. Converse presented the petition of Jane Bennett;

Mr. Odlin presented the petition of Charles Crichton;

Mr. Goodale presented the petition of Jacob B. Gove;

Mr. Young of Meredith presented the petition of Emery Hackett;

Mr. Pickering presented the petition of Elias Smith Quint;

Mr. Goodale presented the petition of Alexis Burr;

Praying for the alteration of their respective names;

Mr. Stevens of Mason presented the petition of Charles A. Eastman, praying for the alteration of the name of an adopted daughter;

Mr. Putnam presented the petition of Benjamin R. Hutchinson and wife, praying for the alteration of the names of themselves and child.

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Treadwell, from the joint select committee to audit the accounts of the Treasurer of this State, made a report,

Which was read—

On motion of Mr. Merrill—

*Resolved*, That said report be accepted.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Whittemore, from the select committee to whom was referred the annual message of his Excellency the Governor with instructions to report the disposition to be made of the several subjects embraced therein, made a report,

Whereupon—

*Resolved*, That so much of his Excellency's message as relates to the militia be referred to the committee on Military Affairs.

That so much as relates to banks and banking institutions be referred to the committee on Banks.

That so much as relates to education and the relief of the deaf, dumb and blind be referred to the committee on Education.

That so much as relates to the protection of debtor and creditor and the compensation of the judicial officers be referred to the committee on the Judiciary.

That so much as relates to a Geological and Mineralogical Survey of the State be referred to the committee on Agriculture and Manufactures.

That so much as relates to the affairs of the State Prison be referred to the committee on the State Prison.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a joint select committee to propound such questions as may be deemed proper to the delinquent town clerks who have been summoned to appear before the Senate and House of Representatives in convention assembled on Thursday next, and have on their part joined Mr. Gregg."

On motion of Mr. Morrill of Somersworth—

*Resolved*, That a select committee consisting of the delegation from the county of Strafford be instructed to inquire into the expediency of locating the terms of the Superior Court and Court of Common Pleas in said county in one place, and report by bill or otherwise.

Pursuant to previous notice and by leave,

Mr. Tudor introduced a bill entitled "An act more effectually to guard against and prevent the loss of baggage by the public conveyances,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Waldron introduced a bill entitled "An act for continuing all corporations three years for certain purposes."

Which was read a first and second time,

On motion of Mr. Waldron—

*Ordered*, That it be referred to the committee on the Judiciary.



On motion of Mr. Day—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the act entitled "An act to establish the rates at which polls and rateable estate shall be assessed in making direct taxes," approved July 4, 1833, as to make it the duty of the selectmen of the several towns in this State to tax all saw-logs, masts, spars and manufactured timber when the value thereof shall exceed the sum of fifty dollars, and report by bill or otherwise.

On motion of Mr. Hoit of Northfield—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of enacting a law requiring land holders to fence on public highways of cultivated lands.

Pursuant to previous notice and by leave,

Mr. Bordman of Gilford introduced a bill entitled "An act more effectually to define, detect and punish nocturnal depredators."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Agreeably to previous notice and by leave,

Mr. Hall introduced a bill entitled "An act for the more speedy settlement of insolvent estates in certain cases."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Ayer introduced a bill entitled "An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Chandler introduced a bill entitled "An act relating to Railroad corporations."

Which was read a first and second time.

On motion of Mr. Chandler—

*Ordered*, That it lie on the table and be made the special order of the day for Friday next at eleven o'clock in the forenoon.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of changing the annual spring training to a later period, and also to inquire into the expediency

of requiring the non-commissioned officers of the several companies in this State to attend the officer drills, and also the expediency of authorizing the Colonels of the several regiments in this State to continue the annual officer drills for a period not exceeding three days, and to require the attendance of the musicians of each regiment at said drills.

Mr. Chandler presented the report of the directors of the Granite Bridge.

On motion of Mr. Chandler—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Baker of Hillsborough submitted the following resolutions:

1. *Resolved by the Senate and House of Representatives in General Court convened*, That the Federal Constitution confers upon Congress no power to charter a Bank, and that its establishment would be fraught with danger to the best interests of the country.

2. *Resolved*, That should the present Congress grant a charter contrary to the will of the people of the United States, as expressed at every election at which the question has been presented to them, it will be the duty of a subsequent Congress to repeal it.

3. *Resolved*, That in the event of the establishment of a National Bank, it will be incumbent upon New Hampshire as one of the parties to the compact of the Union, to adopt such measures as may be necessary to protect her citizens from the encroachments of the Federal Government.

4. *Resolved*, That no emergency can justify a connection of the Treasury of the United States with the Banks as agents in the collection, custody and disbursement of the public revenues.

5. *Resolved*, That the creation of a national debt by funding the real or supposed liabilities of the federal government, would be a fraud upon the people.

6. *Resolved*, That the distribution of the public revenue, whether it may have accrued from the proceeds of the sales of the public lands or otherwise, is without sanction in the Constitution, would be disastrous to the prosperity of the States, and tend to destroy that due relation between the States and the federal government to preserve which should be the paramount object of legislation.

7. *Resolved*, That a system of tariff duties except to supply the actual wants of government, ought not to be established, that the whole scheme of a protective tariff is a gross legislative error.

founded in ignorance of the true principles of political economy, an imposition upon the credulity of a people by which they are taxed without any equivalent, that instead of encouraging domestic industry it depresses it, instead of protection it brings destruction.

8. *Resolved*, That the true policy of the federal government is to confine its action to the objects specifically enumerated in the Constitution, leaving industry to regulate itself.

9. *Resolved*, That the resolution passed July 4, 1838, relative to French spoliations prior to the year 1800, be and the same are hereby repealed.

10. *Resolved*, That His Excellency the Governor of this State be directed to transmit a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, to be by them laid before the Senate and House of Representatives of the United States.

Which was read.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That said resolutions lie on the table.

Mr. Ayer moved that the Clerk be directed to procure three hundred printed copies of said resolutions for the use of the House.

And the question being put,

It was decided in the negative.

The House proceeded to the order of the day upon the bill entitled "An act more effectually to guard against and prevent the loss of baggage by the public conveyances."

Which was read a second time.

On motion of Mr. Stickney—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act for the more speedy settlement of insolvent estates in certain cases."

Which was read a second time.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act more effectually to define, detect and punish nocturnal depredators."

Which was read a second time.

On motion of Mr. Bordman of Gilford—

*Ordered*, That it be referred to the committee on the Judiciary.



A message from the Senate by their Clerk:

"Mr. Speaker:—The Senate have accepted the report of the joint select committee appointed to audit the accounts of the Treasurer of this State."

The following message was received from His Excellency the Governor by the Secretary of State, which was read and is as follows:

*To the Senate and*

*House of Representatives :*

I herewith inclose the report of the Trustees of the New Hampshire Asylum for the Insane made agreeably to the act of Dec. 17, 1840.

JOHN PAGE.

Executive Department, }  
June 8, 1841 }

Mr. Ayer called for the reading of the report.

Which was read.

On motion of Mr. Spalding—

*Ordered,* That said report be filed in the office of the Secretary of State.

On motion of Mr. Ayer—

The House reconsidered the vote ordering said report to be filed with the Secretary of State.

On motion of Mr. Ayer—

*Ordered,* That said report lie on the table.

On motion—

The House adjourned.

#### AFTERNOON.

On motion of Mr. Bordman of Gilford—

*Resolved,* That the House are now ready to meet the Senate in convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

*Ordered,* That the Clerk inform the Senate thereof.

#### IN CONVENTION.

The Senate and House of Representatives being assembled in convention in the Representatives' Hall—

On motion of Mr. Bordman of Gilford of the House.

The convention proceeded by ballot to the choice of Secretary of State, and Josiah Stevens, Jr. was elected.

On motion of Mr. McDaniel of the Senate—

The convention proceeded by ballot to the choice of Treasurer and Zenas Clement was elected.

On motion of Mr. Glidden of the House—

The convention proceeded by ballot to the choice of Commissary General and Theodore F. Rowe was elected.

On motion of Mr. Renton of the Senate—

The Convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Treadwell—

The House proceeded by ballot to the choice of State Printers and Barton and Carroll were elected.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have on their part chosen Barton & Carroll State Printers for the ensuing year.”

The following message in writing was received from his Excellency the Governor by the Secretary of State, which was read and is as follows:

*To the Hon. Senate  
and House of Representatives:*

I herewith enclose the report of the Commissioners of the Literary Fund agreeably to the act of June 29th, 1821.

JOHN PAGE.

Executive Department, }  
June, 1841. }

On motion of Mr. Spalding—

*Ordered*, That the message of His Excellency with the accompanying report be referred to the committee on Education.

On motion of Mr. Colby—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to wait on the Secretary, Treasurer and Commissary General elect to inform them of their election to their respective offices, and if they accept, to receive the customary bonds and lay the same before the Convention.

*Ordered*, That Messrs. Colby and Rawson be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Waldron gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to continue the charter of the New Hampshire Union Bank."

Mr. Spalding gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to limit the liability of bank directors and to prohibit officers of banks from receiving compensation for services in certain cases."

Mr. Whittemore gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to incorporate the Lafayette Artillery company in the 22d regiment."

Mr. Sawyer of Nashua gave notice that he will to-morrow ask leave to introduce a bill to prevent betting on elections.

Mr. Sanborn of Deerfield gave notice that he will to-morrow ask leave to introduce a bill to prevent frauds in elections.

On motion of Mr. Baker of Hillsborough—

The House resumed the consideration of the joint resolutions relating to a United States Bank and other subjects.

The question being upon the passage of the resolutions,

Mr. Sawyer of Nashua moved that they be indefinitely postponed, and on this question, called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Townsend
Noyes	Christie
Brown of Chester	Ricker
Taylor	Varney
Porter	Witham
Robinson of Exeter	Foss of Strafford
Odlin	Morrill of Somersworth
Sanborn of Hampton Falls	Griffin
Blake	McDuffie
Thayer	Mooney
Boyd	Harmon
Vennard	Price
Stickney	Morrill of Boscawen
Brown of Seabrook	Burley of Franklin
Morrison of Windham	Flanders
Clough of Barrington	Wallace of Amherst
Sawyer of Dover	Bixby of Francestown
Peirce of Dover	Stevens of Mason



McGaw	Abbot
Putnam	Baker of Troy
Sawyer of Nashua	Tudor
Spalding	Morse
Beard	Butterfield
Baldwin	Humphrey
Ainsworth	Hamlin
Steele	Bingham
Ames	Cotton
Kingsbury of Temple	Grannis
Kingsbury of Alstead	Breck
Hamilton	Hall of Croydon
Coolidge	Prentiss
Mason of Dublin	Moore
Parker of Fitzwilliam	Adams of Grafton
Felt	Blaisdell
Wheeler of Keene	Ladd of Holderness
Davis of Keene	Allen of Lebanon
Batchelder of Marlborough	Lathrop
Osgood	Parker of Littleton
Converse	Brackett
Rawson	Latham
Mason of Sullivan	

Those who voted in the negative are—Messrs.

Knight	Laighton
Patten of Candia	Dennett
Webster	Treadwell
Sanborn of Deerfield	Brown of Raymond
Rawlings of Deerfield	Garland
Ladd of Epping	Thompson of Salem
Foss of Greenland	Palmer
Batchelder of Hampstead	Fifield
Towle of Hampton	Jones of Farmington
Pickering	Allen of Lee
Currier	Buzzell of Middleton
Batchelder of North Hampton	Locke of New Durham
Hoit of Northwood	Perkins
Crawford	Young of Barnstead
George of Plaistow	Rollins of Barnstead
Robinson of Poplin	Paine
Waldron	Bordman of Gilford
Wiggin of Portsmouth	Robinson of Gilford

Leavitt	Thompson of Warner
Wight	Langley
Tebbets	Davis of Antrim
Eastman	Chandler
Young of Meredith	Bailey of Brookline
Ela	Goodale
Norris	Stevens of Goffstown
Curry	Jones of Goffstown
Calley	Peavey
Morrison of Sanbornton	Patten of Hancock
Parrish	Baker of Hillsborough
Cate	Pierce of Hillsborough
Wedgewood	Farley
Towle of Freedom	Cross
Burleigh of Sandwich	Bixby of Litchfield
Haley	Bordman of Lyndeborough
Beacham	Morrison of Manchester
Wiggin of Ossipee	Stark
Thompson of Wolfborough	Bruce
Thurston	McMillen
Marden	Gibson of Pelham
Scribner	Barnes
Morgan	Woodbury
Smith of Bradford	Colby
Sanborn of Canterbury	Whittemore
Bailey of Chichester	Swett
Shute	Bill
Carter	Mack
Robinson of Concord	Weeks of Richmond
Hoit of Concord	Copeland
Gutterson	Whitcomb
Wiggin of Epsom	Silsby
Marsh	Willey
Ayer	Moulton
Wilson	Goldthwait
Knowlton	Cutler
Clough of Loudon	Adams of Springfield
Gibson of Newbury	Glidden
Hoyt of Northfield	Jones of Washington
Doe	Rogers
George of Salisbury	Locke of Alexandria
Page of Sutton	Lang
Pattee	Wilcomb

Prescott	Evans
Sanborn of Campton	Dearborn
Blodgett of Canaan	Goodwin
Page of Benton	Whidden
Rand	Little
Blodgett of Dorchester	Peabody
Merrill	Pitman
Wallace of Franconia	Johnson
Cheney	Emerton
Swasey	Ballou
Smith of Haverhill	Haines
Ferrin	Emery
Weeks of Hill	Low
Clark	Wheeler of Milan
Savage	Green
Stevens of Lyman	Young of Stewartstown
Perrin	Day
McGrath	Cole
Buzzell of Ellsworth	Wentworth

Ayes 81. Noes 160.

So the negative of the question prevailed.

Mr. Ela moved that the resolution be referred to a select committee.

And the question being put,

Mr. Sanborn of Deerfield called for the Ayes and Noes.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Peirce of Dover
Noyes	Ricker
Brown of Chester	Morrill of Somersworth
Taylor	Paine
Robinson of Exeter	Bordman of Gilford
Odlin	Robinson of Gilford
Sanborn of Hampton Falls	Wight
Blake	Eastman
Thayer	Young of Meredith
Vennard	Ela
Hoitt of Northwood	Parrish
Brown of Seabrook	Price
Morrison of Windham	Morrill of Boscawen
Clough of Barrington	Wallace of Amherst
Sawyer of Dover	Stevens of Mason



Putnam	Bingham
Sawyer of Nashua	Cotton
Spalding	Grannis
Baldwin	Breck
Steele	Hall of Croydon
Hamilton	Prentiss
Mason of Dublin	Moore
Felt	Adams of Grafton
Batchelder of Marlborough	Ladd of Holderness
Osgood	Lathrop

Those who voted in the negative are—Messrs.

Knight	Locke of New Durham
Patten of Candia	Witham
Sanborn of Deerfield	Perkins
Rawlins of Deerfield	Foss of Strafford
Porter	Griffin
Ladd of Epping	McDuffie
Foss of Greenland	Mooney
Batchelder of Hampstead	Young of Barnstead
Towle of Hampton	Rollins of Barnstead
Boyd	Leavitt
Pickering	Tebbetts
Currier	Norris
Batchelder of North Hampton	Curry
Crawford	Calley
George of Plaistow	Morrison of Sanbornton
Robinson of Poplin	Cate
Waldron	Harmon
Wiggin of Portsmouth	Wedgewood
Laighton	Towle of Freedom
Dennett	Wentworth
Treadwell	Burleigh of Sandwich
Brown of Raymond	Haley
Garland	Beacham
Thompson of Salem	Wiggin of Ossipee
Palmer	Thompson of Wolfborough
Fifield	Thurston
Townsend	Marden
Christie	Scribner
Jones of Farmington	Morgan
Allen of Lee	Smith of Bradford
Buzzell of Middleton	Sanborn of Canterbury
Varney	Bailey of Chichester

Shute	Ames
Carter	Barnes
Robinson of Concord	Kingsbury of Temple
Hoit of Concord	Woodbury
Gutterson	Colby
Wiggin of Epsom	Whittemore
Burley of Franklin	Swett
Marsh	Kingsbury of Alstead
Ayer	Coolidge
Wilson	Parker of Fitzwilliam
Knowlton	Bill
Clough of Loudon	Wheeler of Keene
Gibson of Newbury	Davis of Keene
Flanders	Mack
Hoit of Northfield	Weeks of Richmond
Doe	Converse
George of Salisbury	Rawson
Page of Sutton	Copeland
Pattee	Mason of Sullivan
Thompson of Warner	Abbott
Langley	Whitcomb
Davis of Antrim	Baker of Troy
Chandler	Tudor
Bailey of Brookline	Morse
Goodale	Butterfield
Bixby of Frankestown	Humphrey
Stevens of Goffstown	Silsby
Jones of Goffstown	Willey
Peavey	Moulton
Patten of Hancock	Goldthwait
Baker of Hillsborough	Cutler
Pierce of Hillsborough	Adams of Springfield
Farley	Glidden
Cross	Jones of Washington
Bixby of Litchfield	Rogers
Boardman of Lyndeborough	Locke of Alexandria
Morrison of Manchester	Lang
Stark	Wilcomb
McGaw	Prescott
Bruce	Sanborn of Campton
Beard	Blodgett of Canaan
Ainsworth	Page of Benton
McMillen	Rand
Gibson of Pelham	Blodgett of Dorchester

Merrill  
Wallace of Franconia  
Cheney  
Blaisdell  
Swasey  
Smith of Haverhill  
Ferrin  
Weeks of Hill  
Clark  
Allen of Lebanon  
Savage  
Parker of Littleton  
Brackett  
Stevens of Lyman  
Latham  
Perrin  
McGrath  
Buzzell of Ellsworth

Evans  
Dearborn  
Goodwin  
Whidden  
Little  
Peabody  
Pitman  
Johnson  
Emerton  
Ballou  
Haines  
Emery  
Low  
Wheeler of Milan  
Green  
Young of Stewartstown  
Day  
Cole

Ayes 50. Noes 188.

So the negative of the question prevailed.

Mr. Blake moved that the House adjourn—

And the question being put,

It was decided in the negative.

The question recurring upon the passage of the resolutions,

Mr. Blaisdell called for a division of the question.

On the question, shall the first of said resolutions pass?

The Ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight  
Patten of Candia  
Webster  
Sanborn of Deerfield  
Rawlins of Deerfield  
Ladd of Epping  
Foss of Greenland  
Batchelder of Hampstead  
Towle of Hampton  
Pickering  
Currier  
Batchelder of North Hampton  
Hoit of North wood  
Crawford

George of Plaistow  
Robinson of Poplin  
Waldron  
Wiggin of Portsmouth  
Laighton  
Dennett  
Treadwell  
Brown of Raymond  
Garland  
Thompson of Salem  
Palmer  
Fifield  
Jones of Farmington  
Allen of Lee



Buzzell of Middleton	Knowlton
Locke of New Durham	Clough of Loudon
Perkins	Gibson of Newbury
Young of Barnstead	Hoit of Northfield
Rollins of Barnstead	Doe
Paine	George of Salisbury
Bordman of Gilford	Page of Sutton
Robinson of Gilford	Pattee
Leavitt	Thompson of Warner
Wight	Langley
Tebbetts	Davis of Antrim
Eastman	Chandler
Young of Meredith	Bailey of Brookline
Ela	Goodale
Norris	Stevens of Goffstown
Curry	Jones of Goffstown
Calley	Peavey
Morrison of Sanbornton	Patten of Hancock
Parish	Baker of Hillsborough
Cate	Pierce of Hillsborough
Wedgewood	Farley
Towle of Freedom	Cross
Wentworth	Bixby of Litchfield
Burleigh of Sandwich	Boardman of Lyndeborough
Haley	Morrison of Manchester
Beacham	Stark
Wiggin of Ossipee	Bruce
Thompson of Wolfborough	McMillen
Thurston	Gibson of Pelham
Marden	Barnea
Scribner	Woodbury
Morgan	Colby
Smith of Bradford	Whittemore
Sanborn of Canterbury	Swett
Bailey of Chichester	Bill
Shute	Mack
Carter	Weeks of Richmond
Robinson of Concord	Copeland
Moit of Concord	Whitcomb
Gutterson	Silsby
Wiggin of Epsom	Willey
Marsh	Moulton
Ayer	Goldthwait
Wilson	Cutler

Adams of Springfield	Perrin
Glidden	McGrath
Jones of Washington	Buzzell of Ellsworth
Rogers	Evans
Locke of Alexandria	Dearborn
Lang	Goodwin
Wilcomb	Whidden
Prescott	Little
Sanborn of Campton	Peabody
Blodgett of Canaan	Pitman
Page of Benton	Johnson
Rand	Emerton
Blodgett of Dorchester	Ballou
Merrill	Haines
Wallace of Franconia	Emery
Cheney	Low
Swasey	Wheeler of Milan
Smith of Haverhill	Green
Ferrin	Young of Stewartstown
Weeks of Hill	Day
Savage	Cole
Stevens of Lyman	

Those who voted in the negative are—Messrs.

Robinson of Brentwood	Varney
Noyes	Witham
Brown of Chester	Foss of Strafford
Taylor	Griffin
Porter	Morrill of Somersworth
Robinson of Exeter	McDuffie
Odlin	Mooney
Sanborn of Hampton Falls	Harmon
Blake	Price
Thayer	Morrill of Boscawen
Boyd	Burley of Franklin
Vennard	Flanders
Stickney	Wallace of Amherst
Brown of Seabrook	Bixby of Francetown
Morrison of Windham	Stevens of Mason
Clough of Barrington	McGaw
Sawyer of Dover	Putnam
Peirce of Dover	Sawyer of Nashua
Townsend	Spalding
Christie	Beard
Ricker	Baldwin

Ainsworth	Tudor
Steele	Morse
Ames	Butterfield
Kingsbury of Temple	Humphrey
Kingsbury of Alstead	Bingham
Hamilton	Cotton
Coolidge	Grannis
Mason of Dublin	Breck
Parker of Fitzwilliam	Hall of Croyden
Felt	Prentiss
Wheeler of Keene	Moore
Davis of Keene	Adams of Grafton
Batchelder of Marlborough	Blaisdell
Osgood	Ladd of Holderness
Converse	Allen of Lebanon
Rawson	Lathrop
Mason of Sullivan	Parker of Littleton
Abbott	Brackett
Baker of Troy	Latham

Ayes 159. Noes 80.

So the affirmative of the question prevailed and the resolution passed.

On the question, shall the second of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the third of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the fourth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the fifth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the sixth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the seventh of said resolutions pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight  
Webster

Sanborn of Deerfield  
Rawlins of Deerfield



Ladd of Epping	Haley
Foss of Greenland	Beacham
Batchelder of Hampstead	Wiggin of Ossipee
Towle of Hampton	Thompson of Wolfborough
Pickering	Thurston
Currier	Marden
Batchelder of North Hampton	Scribner
Hoyt of Northwood	Morgan
Crawford	Smith of Bradford
George of Plaistow	Sanborn of Canterbury
Robinson of Poplin	Bailey of Chichester
Waldron	Shute
Wiggin of Portsmouth	Carter
Laighton	Robinson of Concord
Dennett	Hoit of Concord
Treadwell	Gutterson
Brown of Raymond	Wiggin of Epsom
Garland	Marsh
Thompson of Salem	Ayer
Palmer	Wilson
Fifield	Knowlton
Allen of Lee	Clough of Loudon
Buzzell of Middleton	Gibson of Newbury
Locke of New Durham	Hoyt of Northfield
Perkins	Doe
Young of Barnstead	George of Salisbury
Rollins of Barnstead	Page of Sutton
Paine	Patee
Bordman of Gilford	Thompson of Warner
Robinson of Gilford	Langley
Leavitt	Davis of Antrim
Wight	Chandler
Tebbetts	Bailey of Brookline
Eastman	Goodale
Young of Meredith	Stevens of Goffstown
Norris	Jones of Goffstown
Curry	Peavey
Calley	Patten of Hancock
Morrison of Sanbornton	Baker of Hillsborough
Cate	Pierce of Hillsborough
Wedgewood	Farley
Towle of Freedom	Cross
Wentworth	Bixby of Litchfield
Burleigh of Sandwich	Boardman of Lyndeborough

Morrison of Manchester	Blodgett of Dorchester
Stark	Merrill
Bruce	Wallace of Franconia
McMillen	Cheney
Gibson of Pelham	Swasey
Barnes	Smith of Haverhill
Woodbury	Ferrin
Colby	Weeks of Hill
Whittemore	Clark
Swett	Savage
Bill	Stevens of Lyman
Mack	McGrath
Weeks of Richmond	Buzzell of Ellsworth
Copeland	Evans
Whitcomb	Dearborn
Silsby	Goodwin
Willey	Whidden
Moulton	Little
Cutler	Peabody
Adams of Springfield	Pitman
Glidden	Johnson
Jones of Washington	Emerton
Rogers	Ballou
Locke of Alexandria	Haines
Lang	Emery
Wilcomb	Low
Prescott	Wheeler of Milan
Sanborn of Campton	Green
Blodgett of Canaan	Young of Stewartstown
Page of Benton	Day
Rand	

Those who voted in the negative are—Messrs.

Robinson of Brentwood	Boyd
Patten of Candia	Vennard
Noyes	Stickney
Brown of Chester	Brown of Seabrook
Taylor	Morrison of Windham
Porter	Clough of Barrington
Robinson of Exeter	Sawyer of Dover
Odlin	Pierce of Dover
Sanborn of Hampton Falls	Townsend
Blake	Christie
Thayer	Jones of Farmington

Ricker  
 Varney  
 Witham  
 Foss of Strafford  
 Morrill of Somersworth  
 Griffin  
 McDuffie  
 Mooney  
 Ela  
 Parrish  
 Harmon  
 Price  
 Morrill of Boscawen  
 Bailey of Franklin  
 Flanders  
 Wallace of Amherst  
 Bixby of Francetown  
 Stevens of Mason  
 McGaw  
 Putnam  
 Sawyer of Nashua  
 Spaulding  
 Beard  
 Baldwin  
 Ainsworth  
 Steele  
 Ames  
 Kingsbury of Temple  
 Kingsbury of Alstead  
 Hamilton  
 Coolidge  
 Mason of Dublin  
 Parker of Fitzwilliam

Felt  
 Wheeler of Keene  
 Davis of Keene  
 Batchelder of Marlborough  
 Osgood  
 Converse  
 Rawson  
 Mason of Sullivan  
 Abbott  
 Baker of Troy  
 Tudor  
 Morse  
 Butterfield  
 Humphrey  
 Hamlin  
 Bingham  
 Cotton  
 Grannis  
 Breck  
 Hall of Croyden  
 Prentiss  
 Goldthwaite  
 Moore  
 Adams of Grafton  
 Blaisdell  
 Ladd of Holderness  
 Allen of Lebanon  
 Lathrop  
 Parker of Littleton  
 Brackett  
 Latham  
 Perrin

Ayes 154—Noes 87.

So the affirmative of the question prevailed and the resolution passed.

On the question, shall the eighth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, Shall the ninth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the tenth of said-resolutions pass?



It was decided in the affirmative.

So the resolution passed.

*Ordered*, That the Clerk request the concurrence of the Senate in the passage of said resolutions.

On motion of Mr. Griffin—

The House adjourned.

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THURSDAY, JUNE 10, 1841.

Mr. Ayer presented the petition of the Amoskeag Manufacturing Company, praying for an increase of capital.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Ladd presented the account of Joseph Towle.

*Ordered*, That it be referred to the committee on Claims.

Mr. Allen of Lee presented the remonstrance of Aaron Hanson and others against the petition of Smith E. Buzzell and others.

*Ordered*, That it be referred to the committee on Towns and Parishes.

Mr. Davis of Antrim presented the petition of Levi Woodbury and others, praying for the incorporation of a Fire Engine company in Antrim.

*Ordered*, That it be referred to the committee on Incorporations.

Mr. Cutler presented the petition of David H. Sumner, praying for the extension of a bridge charter, with accompanying affidavits.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Swasey presented the petition of Chandler Cass and others inhabitants of Haverhill, praying for the passage of a law to furnish Artillery companies with side arms at the expense of the State;

Mr. Townsend presented the petition of the officers of the second regiment, praying for the removal of an officer;

Mr. Odlin presented the petition of the Exeter Artillery Company and others, praying for legislative aid.

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Baker of Troy presented the petition of Lyman Wright and forty others, praying for an act further to protect the public

against the intrusions of common hawkers and pedlers who are disposed to offer foreign goods for sale.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the petition of Asahel Dodge praying for a redress of wrongs, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Parker of Fitzwilliam from the same committee, to whom was referred the petition of Levi Willard and others, praying for an alteration of the law so as to permit persons to send to schools in all districts where they pay taxes, made a further report,

Whereupon—

*Resolved*, That said petition be referred to the committee on Education.

Mr. Colby, from the committee on Agriculture and Manufactures, to whom was referred the petition of Edmund Cook and others praying for an act of incorporation, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Perrin, from the committee on Roads, Bridges and Canals, to whom was referred the sixth annual report of the Nashua and Lowell Railroad corporation ;

Also the report of the commissioners upon the division of the cost of said road, between the States of New Hampshire and Massachusetts ;

Also the second annual report of the Boston and Maine Railroad ;

Also the report of the Eastern Railroad, made a report,

Whereupon—

*Resolved*, That said reports be filed in the office of the Secretary of State.

Mr. Lighton; from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of amending the fifth section of an act passed July 2, 1829, entitled "An act regulating the assignment of Dower," made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

On motion of Mr. Treadwell—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of limiting the chancery powers of

the justices of the superior court so that the said justices shall not have the power of issuing an injunction against any land owner who shall occupy and improve land taken from him by any Railroad corporation, which Railroad corporation shall not have complied with all the provisions of an act relating to Railroad corporations, approved, Dec. 23, 1840.

Mr. Ferrin submitted the following resolution :

*Resolved*, That the Speaker be requested to appoint a sergeant at arms, whose duty it shall be to execute the commands of the House, and to prevent noise and disturbance in the State House and State House yard, during the session of the legislature.

And the question being put,

Shall the resolution be adopted?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Tudor—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of repealing the second section of an act entitled "An act to encourage the manufacture of leather and to prevent frauds therein," and report by bill or otherwise.

On motion of Mr. Treadwell—

The House adjourned.

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#### AFTERNOON.

Mr. Sawyer of Dover gave notice that he will to-morrow ask leave to introduce a bill entitled "An act relating to judicial records ;"

Also a bill entitled "An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

Agreeably to previous notice, and by leave, Mr. Bordman of Gilford introduced a bill entitled "An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a joint select committee to wait upon the Secretary, Treasurer and commissary General elect, and



inform them of their election, and have on their part joined Mr. Perley."

Mr. Odlin gave notice that he will to-morrow ask leave to introduce a bill entitled "An act the more effectually to promote the cause of education."

On motion of Mr. Spalding—

The House resumed the consideration of the following resolution,

*Resolved*, That the House are now ready to meet the Senate in convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

• Which was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in convention in the Representatives' Hall—

On motion of Mr. Gregg of the Senate—

*Resolved*, That the joint select committee to whom was referred the returns of votes for Governor, be instructed to lay before the convention the returns of votes from the towns of Salem and Thornton.

*Resolved*, That the joint select committee to whom were referred the returns of votes for Counsellors, be instructed to lay before the convention the returns of said votes from the towns of Epsom, New Market, Sandown and Waterville.

The chairman of said committee respectively then laid said returns before the convention.

The chairman informed the convention that the precepts commanding the attendance of the town clerks of the towns of Salem, Thornton, Epsom, New Market, Sandown and Waterville had all been duly served and returned.

William Ham, town clerk of Epsom; Charles M. Kehew, town clerk of New Market; Abram S. French, town clerk of Sandown; Moses Foss, town clerk of Waterville; Frederick W. Bailey, town clerk of Salem, and John S. Durrell, town clerk of Thornton appeared before the convention.

On motion of Mr. Sawyer of Nashua of the House—

*Resolved*, That the Convention now proceed to examine the town clerk of Epsom relative to his record and return of votes for Counsellor in said town of Epsom, on the second Tuesday of

March last; and that said town clerk be sworn to make true answer to such questions as may be asked him by the Convention or by their order.

William Ham, town clerk of the town of Epsom, having been duly sworn, in reply to the question, "whether he had made any mistake in making up the record of the votes cast in said town for Counsellor on the second Tuesday of March last, or whether he had made any mistake in his return of said votes, and if so, what that mistake was?"

Answered, that he had made no mistake in his record, but that he had made a mistake in his return of said votes, that from his record it appeared that at said town meeting Moses Norris, jr. received 135 votes for Counsellor, but his return stated that Moses Norris received 134 votes for Counsellor at said meeting.

On motion of Mr. Gregg of the Senate—

*Resolved*, That he be permitted to amend his return according to the record.

Said town clerk then amended his return accordingly by inserting therein the word jr. after the words Moses Norris, and 135 votes instead of 134 votes.

On motion of Mr. Sanborn of Deerfield of the House—

*Resolved*, That said town clerk be discharged from further examination and attendance upon the Convention.

On motion of Mr. Gregg of the Senate—

The Convention proceeded in like manner to the examination of Charles M. Kehew, town clerk of the town of New Market.

Said Charles M. Kehew having been duly sworn, in reply to the question, "whether he had made any mistake in making up the record of the votes cast in said town for Counsellor on the second Tuesday in March last, or whether he had made any mistake in his return of said votes, and if so, what that mistake was?"

Answered, that there was no mistake either in his record or in his return to his knowledge; that from his record it appeared that Moses Norris had 177 votes, and that his return corresponded with his record.

In reply to the question, "whether any votes were cast at said town meeting for Moses Norris, jr.?"

He answered that there was not to his knowledge: that he does not recollect that he saw any votes at said town meeting for Moses Norris, jr.; that he did not examine the vote; that the moderator declared the votes to be for Moses Norris; that he did not assist in counting the votes; that he should think the votes

were printed; that he saw at said meeting none but printed votes; that he himself voted for Arthur Branscomb for Counsellor, and that the return was sealed up by him in presence of the moderator and selectmen.

On motion of Mr. Smith of Bradford—

*Voted*, That the examination of said town clerk be suspended for the purpose of introducing other evidence.

On motion of Mr. Robinson of Concord of the House—

*Voted*, That Mr. Stickney, a member of the House from New Market, be requested to state before the Convention what information he had with regard to the casting, recording and return of said votes.

Mr. Stickney stated that he attended the town meeting at New Market on the second Tuesday of March last; that he saw there printed votes which were circulated by both political parties; that he saw votes in circulation at said meeting for Moses Norris, jr. for Counsellor, and also for Arthur Branscomb, but that he did not know whether the votes which he saw were any of them put into the ballot box; that he did not see any votes at said meeting for Moses Norris.

Mr. Gregg of the Senate by leave presented the following affidavit, which was read by the chairman of the convention.

"I, John French, a legal voter in the town of New Market, depose and say, that I attended the annual meeting for the election of state and county officers in said town on the second Tuesday of March last, and that I saw a great many votes for the democratic candidates in circulation, one of which was handed me at said meeting, which is hereunto annexed, the same having been in my possession ever since I first received it. I have written my name, that I may be able to attest to it hereafter more particularly, if it should become necessary.

JOHN FRENCH.

New Market, June 5, 1841.

Rockingham, ss.

June 5, 1841.

Then personally appearing the above named John French and made solemn oath that the above affidavit by him subscribed is true.

Before me,

JAMES B. CREIGHTON,

Justice of the Peace.

The ticket annexed to said affidavit is as follows to wit:



JOURNAL OF THE HOUSE.

*Democratic Republican Ticket.*

John Page, Governor,  
Moses Norris, jr., Counsellor,  
Samuel Hatch, Senator,  
Edson Hill, Treasurer,  
John Woodbury, Register.

*For Road Commissioners.*

Uri Lamprey,  
John Dow,  
Lorenzo Batchelder.

*For Representatives to Congress.*

Tristram Shaw,  
Ira A. Eastman,  
Charles G. Atherton,  
Edmund Burke,  
John R. Reding.

On said ticket is endorsed the name of John French in writing. Mr. Sawyer of Nashua of the House moved that said town clerk be discharged from further examination and attendance.

But before the question was taken,

Mr. Sawyer of Nashua withdrew his motion.

Mr. Peirce of Dover moved that the committee to whom said votes had been referred, be instructed to count for Moses Norris, jr. the said votes from the town of New Market, which had been returned for Moses Norris.

But before the question was taken,

Mr. Peirce of Dover withdrew his motion.

On motion of Mr. Swasey of the House—

*Resolved*, That the further examination of the town clerk of New Market be suspended, and that the clerk of the convention be directed to issue process to the moderator of the town meeting in said town on the second Tuesday of March last, and to the selectmen who attended to the assorting and counting of the votes given in in said town for counsellor, summoning them to appear before the Convention on Saturday June 12th, at ten o'clock, A. M.

Mr. Robinson of Concord moved that the further examination of said town clerks be suspended until to-morrow at eleven o'clock, A. M.

And the question being put,  
It was decided in the negative.

On motion of Mr. Gregg of the Senate—

The Convention proceeded in like manner to the examination of Abram S. French, town clerk of the town of Sandown.

Said Abram S. French, having been duly sworn, in reply to the question, "whether he had made any mistake in making up the record of the votes cast in said town of Sandown for Counsellor on the second Tuesday of March last, or whether he had made any mistake in his return of said votes, and if so, what that mistake was?"

Answered, that it appeared from his record of said town meeting that Moses Norris had sixty-seven votes for Counsellor, and that his return corresponded with his record, and also his minutes or memorandum in writing of said votes made at the time of said meeting, from which memorandum he made up his record; that while the moderator and selectmen were counting the votes he wrote off on said memorandum the names from a ticket; that he did not know whether the word jr. was attached to the name of Moses Norris, on said ticket, or on the tickets which were cast at said meeting or not; that he had since seen a printed ticket which was for Moses Norris, jr.; that he did not particularly examine the votes which were cast at said meeting; nor could he recollect whether they were for Moses Norris or for Moses Norris, jr.; that he did not assist in sorting or counting said votes.

In reply, whether he had any recollection how the state of the votes was declared by the moderator at said meeting, he answered that they were declared for Moses Norris by the moderator from his said minutes which he handed the moderator for that purpose.

On motion of Mr. Sawyer of Nashua of the House—

*Resolved*, That the further examination of the town clerk of Sandown be suspended, and that the clerk of the convention be directed to issue process to the moderator of the town meeting in said town on the second Tuesday of March last, and to the selectmen who attended to the assorting and counting of the votes given in said town for Counsellor, summoning them to appear before the Convention on Saturday next at 11 o'clock, A. M.

On motion of Mr. Gregg of the Senate—

The Convention proceeded in like manner to the examination of Moses Foss, town clerk of Waterville.

Said Moses Foss having been duly sworn, in reply to the question, "whether he had made any mistake in making up his record of the votes cast in said town of Waterville for Counsellor on the second Tuesday of March last, or whether he had made any

mistake in his return of said votes, and if so, what that mistake was?"

Answered, that he had made no mistake in his record of said votes, but that he had made a mistake in his return by inserting therein the words "John White" instead of "John H. White."

On motion of Mr. Gregg of the Senate—

*Resolved*, That said town clerk be permitted to amend his return according to the record.

Said town clerk then amended his return accordingly, by inserting therein the words "John H. White" instead of "John White."

On motion of Mr. Sanborn of Deerfield of the House—

*Resolved*, That said town clerk be discharged from further examination and attendance.

Mr. Sawyer of Nashua of the House, moved that the town clerks of Salem and Thornton be discharged from further attendance upon the convention.

And the question being put,

It was decided in the negative.

On motion of Mr. Blaisdell of the House—

The convention proceeded to the examination of the town clerk of the town of Salem.

Frederick W. Bailey, town clerk of Salem, having been duly sworn—in reply to the question why he had not made return of the votes cast in said town for State and county officers, at the annual town meeting held in said town on the second Tuesday of March last, to the office of the Secretary of State, within the time prescribed by law;

Answered in substance, that his returns of said votes were by him seasonably made out immediately after said town meeting, and that information thereof was by him communicated to the selectmen of said town, for the purpose of obtaining the certificate of said selectmen upon said returns, as required by law; that said selectmen agreed to meet with him at divers times for the purpose of making such certificate, but failed so to do until a late period, when having received information from the Secretary of State that the Governor and Council were engaged in counting the votes for State officers, he and said selectmen met for the purpose of completing said returns, and through haste he inadvertently left out his return of votes for Governor from the package which was then forwarded enclosing said votes, and that said return of votes for Governor was finally forwarded by the Representative from said town to the Legislature the present session.

On motion of Mr. Sanborn of Deerfield of the House—



*Resolved*, That said town clerk be discharged from further examination and attendance upon the convention.

On motion of Mr. Gregg of the Senate—

The convention proceeded to the examination of the town clerk of the town of Thornton.

John S. Durrell, town clerk of Thornton, having been duly sworn—in reply to the question why he had not made return of the votes cast in said town for State and county officers, at the annual town meeting held in said town on the second Tuesday of March last, to the office of the Secretary of State within the time prescribed by law;

Answered in substance, that his delay in forwarding said returns, was in part occasioned by the refusal of the former town clerk of said town to furnish him with the laws containing the statute of Nov. 1840, relative to the returns of votes, by reason whereof he did not receive said laws at all until a late period, and that a farther delay was incurred in obtaining the certificates of the moderator and selectmen of said town to said returns.

On motion of Mr. Sanborn of Deerfield of the House—

*Resolved*, That said town clerk of Thornton be discharged from further examination and attendance upon the convention.

On motion of Mr. Sanborn of Deerfield of the House—

The convention proceeded to read and record the returns of votes from the towns of Epsom and Waterville as amended.

On motion of Mr. Treadwell of the House—

*Resolved*, That the returns of votes for Counsellor from District No. 1, be recommitted to the committee who have had the same under consideration.

On motion of Mr. McDaniel—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Treadwell—

The House adjourned.

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FRIDAY, JUNE 11, 1841.

Mr. Swasey presented the petition of Jacob H. Shephard, praying for the alteration of his name.

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Porter presented the account of Samuel Marshall.

*Ordered*, That it be referred to the committee on Claims.

Mr. Whitcomb presented two petitions of the officers of the 6th regiment of N. H. militia, praying for the removal of certain officers ;

Mr. Stevens of Goffstown presented the petition of the field officers of the 9th regiment, praying for the removal of an officer ;

Mr. Johnson presented the petition of the officers of the 24th regiment, praying for the removal of an officer ;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Wedgewood presented the petition of Josiah Dearborn, praying for the passage of a law providing for the repairing of meeting houses ;

Mr. Odlin presented the petition of J. Clark Payson and others, praying for the passage of a law to prevent the destruction of fish in Exeter river ;

*Ordered*, That said petitions be referred to the committee on the Judiciary.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the message of His Excellency the Governor relating to the literary fund, and the report of the commissioners on said fund, reported—

That all the banks in this State have paid to the Treasurer of this State one half of one per cent. on the amounts of their capital stock, agreeably to the act establishing the literary fund, excepting the New Hampshire, Concord and Wolfborough banks.

The amount of the fund to be distributed the present year, is twelve thousand nine hundred forty-seven dollars and fifty-four cents.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That said report be accepted.

Mr. Thompson of Salem, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the bill entitled “An act to prevent wilful and malicious trespass,” the bill giving further remedies in actions of trespass and trespass on the case and in restraint of useless litigation, the bill for the limitation of actions and preventing vexatious suits, the bill establishing salaries of the justices of the superior court of judicature and of the Attorney General, and the bill entitled “An act providing for the appointment of a reporter of the de-

cisions of the superior court of judicature," be referred to the committee on the Judiciary.

Mr. Thompson of Salem, from the same committee, made a further report,

Whereupon—

*Resolved*, That the bill entitled "An act to incorporate the People's Literary Institute and Gymnasium," be referred to the committee on Incorporations ; that the petition of Jeremiah Her- rick and William Tenney, praying that a tract of land be dis- annexed from the town of Swanzey and annexed to the town of Marlborough ; the petition of Smith E. Buzzell and others, pray- ing that a portion of the towns of Lee and Durham be annexed to the town of Madbury, be referred to the committee on Towns and Parishes ; that the petition of the officers of the 20th regiment N. H. militia, praying for the removal of an officer, and the petition of N. O. Page and others, praying for a new piece of ordnance for the 31st regiment of N. H. militia, be referred to the com- mittee on Military Affairs.

Mr. Ela, from the committee on Towns and Parishes, to whom was referred the petition of John F. A. Peabody and others, praying to be incorporated into a school district, made a report,

Whereupon—

*Resolved*, That said petition be referred to the committee on Incorporations.

Mr. Ela, from the same committee made a further report,

Whereupon—

*Resolved*, That the petition of Orrin Garnsey and others, praying that a portion of land be severed from the town of Lisbon and annex- ed to the town of Franconia, be postponed to the next session of the Legislature, and that the petitioners cause the towns of Lisbon and Franconia to be notified thereof by leaving a copy of said pe- tition and this order thereon with one of the Selectmen of each of said towns, on or before the first day of February next.

Mr. Ela, from the same committee, made a further report,

Whereupon—

*Resolved*, That the petition of Richard Pickering, praying to be disannexed from the town of Newington and annexed to the town of Portsmouth, be postponed to the next session of the Legislature, and that the petitioner cause the towns of Ports- mouth and Newington to be notified thereof, by leaving a copy of said petition, and this order thereon, with one of the selectmen of each of said towns on or before the first day of February next.

Mr. Haley, from the committee on Incorporations, to whom was referred the petition of N. C. Crombie and others, praying for



an act of incorporation of a Mutual Fire Insurance Company in New Boston, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Parker of Fitzwilliam from the committee on the Judiciary, who were instructed to inquire into the expediency of repealing the second section of an act entitled "An act to encourage the manufacture of leather and prevent frauds therein," reported a bill entitled "An act to repeal the second section of an act entitled an act to encourage the manufacture of leather and prevent frauds therein, passed July 3d, 1329."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of sundry resolutions relating to an United States Bank, the tariff and other subjects."

On motion of Mr. Spalding—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

## IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall—

Mr. McDaniel of the Senate, from the committee appointed to receive the returns of votes for Counsellor from Council District No. 1, with instructions to count, compare and cast their numbers—

## REPORTED,

That the whole number of votes returned is	11,053
Necessary to a choice,	5,527
Estimated as scattering,	11
Frederick Sanborn has	134
Moses Norris,	244
Arthur Branscomb,	4,628
Moses Norris, jr.,	6,036
and is elected.	

The votes of the town of Epping, for Moses Norris, jr. 155, for Arthur Branscomb 116, for Frederick Sanborn 1, included in the above estimate, were not received by the Secretary of State within the time prescribed by the Constitution.

On motion of Mr. Spalding of the House—

*Resolved*, That the report be accepted.

On motion of Mr. McDaniel of the Senate—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Spalding—

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor and inform him that the Hon. Moses Norris, jr, is elected Counsellor for District No. 1, the ensuing political year.

*Ordered*, That Messrs. Spalding, Glidden and Morrison of Sandbornton be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Haley—

*Resolved*, That a committee of one from each county be appointed to inquire whether any irregularity exists in the salaries of the several county officers in the several counties in this State and report by bill or otherwise.

The following message in writing was received from his Excellency the Governor by the Secretary of State, which was read and is as follows:

*To the Hon. Senate*

*and House of Representatives:*

I herewith inclose three bills prepared by the committee on the revision of the laws under instruction from the last Legislature, "having for its object the abolishment of imprisonment for debt combining with such basis the security of the creditor upon the property of the debtor," for the consideration of the Legislature.

JOHN PAGE.

Council Chamber, }  
June 11, 1841. }

On motion of Mr. Coffy—

*Ordered*, That His Excellency's message with the accompanying bills lie on the table.

Pursuant to previous notice and by leave,  
Mr. Waldron introduced a bill entitled "An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire."

Which was read a first and second time.

On motion of Mr. Waldron—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Smith of Bradford—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of requiring official bonds of the Adjutant General, and report by bill or otherwise.

Mr. Young of Meredith submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That the Secretary of State be and hereby is authorized and directed to furnish to each of the Clerks of the Court of Common Pleas for the counties of Belknap and Carroll in this State, one bound set of the New Hampshire reports which have been or may be published, to be kept by the Clerks for the use of the Courts in their respective counties.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

On motion of Mr. Griffin—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of authorizing the Adjutant General to procure one thousand printed copies of the militia laws in force in this State and cause the same to be distributed to the officers entitled by law to receive the same, and report by bill or otherwise.

The House proceeded to the order of the day upon the bill entitled "An act in addition to an act constituting the counties of Belknap and Carroll"

Which was read a second time.

On motion of Mr. Bordman of Gilford—

*Ordered*, That it be referred to a select committee consisting of the delegation from the counties of Belknap and Carroll.

The House proceeded in the order of the day upon the bill entitled "An act to render void the settlements of paupers gained under any law passed prior to 1796 and to prevent litigation."

Which was read a second time.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That it be referred to the committee on the Judiciary.  
The House proceeded in the order of the day upon the bill en-



titled "An act to repeal the second section of an act entitled an act to encourage the manufacture of leather and to prevent frauds therein, passed July 3d, 1829 "

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded to the special order of the day upon the bill entitled "An act relating to Railroad Corporations."

On motion of Mr. Baker of Hillsborough—

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day for Tuesday next at eleven o'clock in the forenoon.

On motion of Mr. Blaisdell—

The House resumed the consideration of the message of His Excellency the Governor enclosing three bills prepared by the committee on the revision of the laws under instructions from the last Legislature having for their object the abolition of imprisonment for debt.

Mr. Blaisdell called for the reading of the bills.

Which were severally read for the information of the House.

On motion of Mr. Waldron—

*Ordered*, That the message of His Excellency with the accompanying bills lie on the table, and that the Clerk be directed to procure five hundred printed copies of each of said bills for the use of the House.

Pursuant to previous notice and by leave,

Mr. Sawyer of Nashua introduced a bill entitled "An act to prevent betting or wagering on elections."

Which was read a first and second time.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That it be referred to the committee on the Judiciary.

Pursuant to previous notice and by leave,

Mr. Sanborn introduced a bill entitled "An act to prevent fraud in elections."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Bruce introduced a bill entitled "An act relating to passenger carriers."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Stickney gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to provide further for the collection of taxes in certain cases."

A message from the Senate by their Clerk:

"Mr. Speaker:—The Senate concur with the House of Representatives in the appointment of a committee to wait on His Excellency the Governor and inform him that the Hon. Moses Norris, Jr. is elected Counsellor for District No. 1, for the ensuing political year, and have on their part joined Mr. Pickering."

Mr. Spalding from the joint select committee appointed to wait on His Excellency the Governor and inform him that the Hon. Moses Norris, Jr. is elected Counsellor from District No. 1, for the ensuing political year, reported that they had attended to the duty assigned them.

Mr. Blaisdell submitted the following resolution:

*Resolved*, That a select committee of ten be appointed to take into consideration the expediency of authorizing the several towns in this State to dispose of that portion of the public money now deposited with them as they may vote to do.

Pursuant to previous notice and by leave,

Mr. Spalding introduced a bill entitled "An act to limit the liability of Bank Directors and to prohibit officers of Banks from receiving compensation for services in certain cases."

Which was read a first and second time.

On motion of Mr. Stickney—

*Ordered*, That it be referred to the committee on Banks.

On motion of Mr. Currier—

The House adjourned.

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## AFTERNOON.

Mr. Wight, from the joint committee on Engrossed Bills, reported that they had carefully examined and find correctly engrossed, sundry joint resolutions of the Senate and House of Representatives relating to a United States Bank, the Tariff and other subjects,

Which were signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Agreeably to a resolution of the House,

Mr. Dearborn introduced a bill entitled "An act to incorporate the Campton Village Manufacturing Company,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Odlin introduced a bill entitled "An act more effectually to promote the cause of education,"

Which was read a first time.

Mr. Ela moved that the bill be indefinitely postponed.

And the question being put—

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight	Marsh
Pickering	Wilson
Hoit of Northwood	Knowlton
Crawford	Gibson of Newbury
George of Plaistow	Pattee
Laighton	Thompson of Warner
Brown of Raymond	Goodale
Jones of Farmington	Stevens of Goffstown
Allen of Lee	Jones of Goffstown
Buzzell of Middleton	Patten of Hancock
Varney	Farley
Locke of New Durham	Cross
Perkins	Bordman of Lyndeborough
Mooney	Putnam
Paine	Woodbury
Leavitt	Colby
Eastman	Swett
Young of Meredith	Hamilton
Ela	Bill
Calley	Davis of Keene
Morrison of Sanbornton	Mack
Towle of Freedom	Copeland
Burleigh of Sandwich	Abbot
Morgan	Whitcomb
Smith of Bradford	Baker of Troy
Sanborn of Canterbury	Silsby
Bailey of Chichester	Cotton
Guttersen	Goldthwait
Wiggin of Epsom	Cutler



Glidden  
 Rogers  
 Prescott  
 Sanborn of Campton  
 Blodgett of Canaan  
 Page of Benton  
 Blodgett of Dorchester  
 Wallace of Franconia  
 Ferrin  
 Clark  
 Savage

Perrin  
 McGrath  
 Peabody  
 Pitman  
 Glines  
 Johnson  
 Emerton  
 Ballou  
 Emery  
 Day  
 Cole

Those who voted in the negative are—Messrs.

Patten of Candia  
 Noyes  
 Brown of Chester  
 Taylor  
 Porter  
 Ladd of Epping  
 Robinson of Exeter  
 Odlin  
 Batchelder of Hampstead  
 Sanborn of Hampton Falls  
 Thayer  
 Boyd  
 Vennard  
 Stickney  
 Robinson of Poplin  
 Waldron  
 Wiggin of Portsmouth  
 Thompson of Salem  
 Palmer  
 Morrison of Windham  
 Clough of Barrington  
 Sawyer of Dover  
 Peirce of Dover  
 Townsend  
 Ricker  
 Witham  
 Morrill of Somersworth  
 Griffin  
 McDuffie  
 Bordman of Gilford

Robinson of Gilford  
 Wight  
 Tebbets  
 Norris  
 Curry  
 Cate  
 Harmon  
 Wedgewood  
 Wentworth  
 Hall of Tamworth  
 Laley  
 Marden  
 Scribner  
 Price  
 Morrill of Boscawen  
 Shute  
 Carter  
 Robinson of Concord  
 Hoit of Concord  
 Burley of Franklin  
 Clough of Loudon  
 Flanders  
 Hoyt of Northfield  
 Doe  
 George of Salisbury  
 Page of Sutton  
 Wallace of Amherst  
 Chandler  
 Bailey of Brookline  
 Bixby of Francestown

Peavey	Morse
Pierce of Hillsborough	Butterfield
Bixby of Litchfield	Humphrey
Morrison of Manchester	Bingham
Stark	Grannis
Stevens of Mason	Brack
McGaw	Hall of Croydon
Sawyer of Nashua	Prentiss
Spalding	Lang
Beard	Moore
Baldwin	Adams of Grafton
Ainsworth	Cheney
McMillen	Blaisdell
Gibson of Pelham	Swasey
Steele	Smith of Haverhill
Ames	Ladd of Holderness
Barnes	Allen of Lebanon
Kingsbury of Temple	Lathrop
Kingsbury of Alstead	Parker of Littleton
Coolidge	Brackett
Mason of Dublin	Stevens of Lyman
Parker of Fitzwilliam	Buzzell of Ellsworth
Batchelder of Marlborough	Evans
Osgood	Dearborn
Weeks of Richmond	Whidden
Converse	Low
Mason of Sullivan	Wheeler of Milan
Tudor	

Ayes 82. Noes 115.

So the motion to postpone said bill indefinitely did not prevail.

On motion of Mr. Stickney—

Said bill was read a second time and referred to the committee on Education.

On motion of Mr. Smith of Bradford—

*Resolved*, That the Adjutant and acting Quartermaster General be requested to lay before this House, in detail, a statement of the receipts and disbursements by him made for military purposes for the year ending June 1, 1841.

Mr. Eastman submitted the following resolution:

*Resolved*, That the committee on Agriculture and Manufactures be instructed to inquire into the expediency of giving a certain premium for killing crows, and report by bill or otherwise.

On the question, shall the resolution be adopted?

It was decided in the negative.

So the resolution was rejected.

Mr. Griffin gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to repeal the 4th section of an act allowing a certain premium for killing bears, wild-cats, crows and foxes," approved Jan. 22, 1832.

On motion of Mr. Treadwell—

The House resumed the consideration of the reports of the Warden, Physician and Chaplain of the New Hampshire State Prison.

On motion of Mr. Treadwell—

*Ordered*, That said reports be referred to the committee on the State Prison.

Mr. Griffin gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to repeal an act allowing a certain premium for killing foxes," approved July 4, 1838.

On motion—

The House adjourned.

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### SATURDAY, JUNE 12, 1841.

Mr. Page of Benton presented the petition of Joshua Blaisdell and others, praying for an act of incorporation by the name of the Female Seminary at Haverhill.

*Ordered*, That it be referred to the committee on Education.

Mr. Sanborn of Deerfield from the committee on Military Affairs to whom was referred the petition of the Exeter Artillery Company and others, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Pursuant to previous notice and by leave,

Mr. Stickney introduced a bill entitled "An act to provide further for the collection of taxes in certain cases."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Sawyer of Dover introduced a bill entitled "An act relating to judicial records."

Which was read a first time.



*Ordered*, That it be read a second time this forenoon at eleven o'clock.

On motion of Mr. Patten of Hancock—

*Resolved*, That when the House adjourn this forenoon they adjourn to meet again on Monday next at three o'clock in the afternoon.

Pursuant to previous notice and by leave,

Mr. Griffin introduced a bill entitled "An act to repeal an act allowing a certain premium for killing foxes," approved July 4, 1838.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

On motion of Mr. Baker of Hillsborough—

*Resolved*, That the use of the Hall of the House of Representatives be granted to the New Hampshire Historical Society for the delivery of the annual address by Hon. Nathaniel G. Upham, on Tuesday next at half past seven o'clock P. M.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the Treasurer of the State be and he hereby is directed to report to this House whether the sum of ninety-five dollars and sixty cents has been paid into the treasury by the late Quarter Master General, according to a resolve of the Legislature passed June 19, 1840.

The Speaker announced the appointment of Mr. Burleigh of Sandwich as a member of the committee on Education in place of Mr. Morrison of Portsmouth who has resigned his seat in this House.

Agreeably to a resolution of this House the Speaker announced the appointment of Messrs. Blodgett of Canaan, Hoit of Northwood, Jones of Farmington, Rollins of Barnstead, Harmon, Marsh, Steele, Batchelder of Marlborough, Jones of Washington, and Emery, as the select committee of one from each county to inquire whether any inequality exists in the salaries of the county officers in the several counties in this State.

Agreeably to a resolution of the House, the Speaker announced the appointment of Messrs. Loughton, Wilson, Clough of Loudon, McGaw, Rawson, Pevey, Langley, Cole, Vennard, and Paine, as the select committee to take into consideration the expediency of authorizing the several towns in this State to dispose of the public money now deposited with them as they may vote to do.

Mr. Treadwell gave notice that he will on Monday next ask leave to introduce a bill entitled "An act in addition to and in

amendment of an act entitled an act for the regulation and government of schools in the town of Portsmouth, approved January 13, 1837 "

On motion of Mr. Weeks of Richmond—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of so altering or amending the law passed July 6, 1833, in regard to the collection of military fines levied by distress, and the sale of the delinquent's goods and chattels under the hand and seal of the captain or commanding officer of the company as to provide that the delinquent may have a hearing before a justice of the peace by jury so to be empannelled by said justice if the defendant requests it, and report by bill or otherwise.

On motion of Mr. Smith of Bradford—

*Resolved*, That the House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall—

The chairman informed the convention that the precepts commanding the attendance of the moderator and selectmen of the towns of New Market and Sandown at the annual town meetings held in said towns on the second Tuesday of March last, had been duly served and returned.

George O. Hilton moderator, Charles Lane and John M. Towle selectmen, and Charles M. Kehew town clerk of the town of New Market who officiated at the annual town meeting held in said town of New Market on the second Tuesday of March last, and James Sleeper moderator, Josiah Clough, George F. Griffin and William French jr. selectmen, and Abram S. French town clerk of the town of Sandown who officiated at the annual town meeting held in said town of Sandown on the second Tuesday of March last appeared before the convention.

On motion of Mr. Gregg of the Senate—

The Convention proceeded to the examination of George O. Hilton.

Said George O. Hilton having been duly sworn, in reply to the question, "whether he was moderator of the annual town meeting holden in said town of New Market on the second Tuesday

of March last, and if so, whether he was present at the making up of the record of votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in the record of said votes?" and in reply to sundry other questions asked him by order of the convention—

Answered, in substance, that he was moderator of said town meeting, that he was present at the making up of the record of said votes, and that he had no doubt there was a mistake in said record—that he did not with certainty recollect whether he examined any of the votes which were cast for Counsellor at said meeting, nor whether he saw at said meeting any votes for Moses Norris, or for Moses Norris, jr., but that the votes recorded and returned as for Moses Norris, were in fact cast at said meeting for Moses Norris, jr. because said Moses Norris, jr. was the regular candidate of one party, and he knew of no votes in circulation among said party for any other candidate for the office of Counsellor.

Being shown a printed ballot containing among other names the name of Moses Norris jr. for Counsellor, on which was endorsed in writing the name of John French (being the ticket attached to the affidavit of John French, which was read before the convention at the examination of Charles M. Kehew on the 10th instant,) he stated that he had no doubt that said ballot or ticket was one of the same kind with those cast at said town meeting.

He farther stated in substance that the names of the candidates for State and county officers at said meeting were copied by the town clerk from a ballot, upon a piece of paper during the sorting and counting of the votes by the moderator and selectmen—that after the votes were sorted and counted he stated to the town clerk the number of votes which each candidate had received—and that the town clerk wrote down the number of votes for each candidate against their respective names, which he had copied from the ballot upon a piece of paper as before stated—that he then took this piece of paper from the town clerk, and declared the votes therefrom in presence of the meeting.

Being shown a piece of paper on which among other names was the name of Moses Norris for Counsellor, he recognized it as the paper from which he declared the votes as aforesaid.

He further stated that he could not say with certainty whether he declared said votes to the meeting as for Moses Norris or for Moses Norris, jr., but that he had no doubt that the votes were cast for Moses Norris, jr.

On motion of Mr. Gregg of the Senate—



The Convention proceeded to the examination of John M. Towle.

Said John M. Towle having been duly sworn, in reply to the questions, whether he was one of the selectmen of the town of New Market, at the annual town meeting held in said town on the second Tuesday of March last, and if so, whether he was present at the making up of the record of the votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in the record of said votes?

Answered, in substance, that he was one of the selectmen of said town at said town meeting, that he was present at the sorting, counting, declaring and making up of the record of said votes—that he assisted in the counting of the same—that he saw ballots at said meeting for Moses Norris, jr. for Counsellor, but saw none to his recollection for Moses Norris. Being shown the ballot above mentioned, on which was endorsed the name of John French, in writing, he stated that he had no doubt that the names on this ballot were the same with the names on ballots which were thrown at said town meeting.

He further stated that he voted on the day of said town meeting, that the word “jr.” after the words “Moses Norris” on some of the ballots which he counted was dim and indistinctly printed—that he was not aware of any mistake at the time, but that he had now no doubt that there was a mistake both in the record and return of said votes, and that the votes which were recorded and returned as for Moses Norris for Counsellor, should have been recorded and returned for Moses Norris, jr.

On motion of Mr. Gregg of the Senate—

Silas Noble having been called by the chairman of the Convention did not appear.

On motion of Mr. Gregg of the Senate—

The Convention proceeded to the examination of Charles Lane.

Said Charles Lane having been duly sworn, in reply to the question, whether he was one of the selectmen of the town of New Market, at the annual town meeting held in said town of New Market on the second Tuesday of March last, and if so, whether he was present at the making up of the record of votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in the record of said votes?

Answered, in substance, that he was one of the selectmen of said town at said town meeting—that he was present at the making up of the record of said votes—that he assisted in sorting, but did not assist in counting said votes. Being shown the ballot above

mentioned on which was endorsed the name of John French, in writing, he stated that he had no doubt that the names on this ballot were the same with the names on ballots which were thrown at said town meeting.

On motion of Mr. Treadwell of the House—

The Convention resumed the examination of Charles M. Kehew, town clerk of said town of New Market.

In reply to the question, whether at the time he was examined before the Convention on Thursday the tenth instant, he had any doubt that the votes which he had recorded and returned as for Moses Norris, were in fact cast for Moses Norris, jr.?

He answered, in substance, that at the time he was examined before as aforesaid, he had no means of knowing from what he could remember of his own recollection at that time, whether said votes were cast for Moses Norris or for Moses Norris, jr.—but from information which he had received from others, he had not at the time of said examination, nor had he now any doubt but that said votes which were recorded and returned for Moses Norris were in fact cast at said town meeting for Moses Norris, jr.

On motion of Mr. Sanborn of Deerfield of the House—

*Resolved*, That said town clerk be permitted to amend his said record and return according to the fact.

Said town clerk then stated that he would so amend his record and return by the direction of the selectmen and moderator aforesaid—and being so directed, proceeded to amend his said record and return accordingly, by inserting therein the word “jr.” after the words “Moses Norris.”

On motion of Mr. Gregg of the Senate—

*Resolved*, That said moderator, selectmen and town clerk of the town of New Market be discharged from further examination and attendance before the Convention.

On motion of Mr. Gregg of the Senate—

The convention proceeded to the examination of James Sleeper.

Said James Sleeper, having been duly sworn, in reply to the question, whether he was moderator of the town meeting held in the town of Sandown on the second Tuesday of March last, and if so, whether he was present at the making up of the record of votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in making up the record of said votes?

Answered, in substance, that he was moderator at said town meeting, that he was present at the making up of the record of votes cast for Counsellor at said meeting, that he declared the

state of the votes cast at said meeting from a printed ballot on which he had inserted the number of votes cast for each candidate against their respective names.

Being shown a printed ballot which was as follows, viz:

“John Page, Governor,  
Moses Norris, jr., Counsellor,  
Samuel Hatch, Senator,  
Edson Hill, Treasurer,  
John Woodbury, Register.

*For Road Commissioners.*

Uri Lamprey,  
John Dow,  
Lorenzo Batchelder.

*For Representatives to Congress.*

Tristram Shaw,  
Ira A. Eastman,  
Charles G. Atherton,  
Edmund Burke,  
John R. Reding.”

he stated that he had no doubt that this was a ballot similar to the one used by him on said occasion; that he was not aware of any mistake at the time of said meeting, but that he had now no doubt that there was a mistake both in the record and return of said votes, and that the votes which were recorded and returned as cast for “Moses Norris,” should have been recorded and returned for Moses Norris, jr.

On motion of Mr. Gregg of the Senate—

The Convention proceeded to the examination of Josiah Clough.

Said Josiah Clough having been duly sworn, in reply to the question, whether he was one of the selectmen at the annual town meeting held in said town of Sandown on the second Tuesday of March last, and if so whether he was present at the making up of the record of votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in the record of said votes?

Answered, in substance, that he was one of the selectmen of said town at said town meeting—that he was present at the making up of the record of said votes—that he did not know of any



mistake at the time—that there were votes cast at said meeting for Moses Norris jr. for Counsellor—that he had no doubt that the votes which were recorded and returned as cast at said meeting for “Moses Norris,” were in fact cast for Moses Norris jr. and were so declared by the moderator at said town meeting.

On motion of Mr. Gregg of the Senate—

The Convention proceeded to the examination of William French jr.

Said William French jr. having been duly sworn—in reply to the question whether he was one of the selectmen of the town of Sandown, at the annual town meeting held in said town on the second Tuesday of March last, and if so, whether he was present at the making up of the record of votes cast at said town meeting for Counsellor for District No. 1, and whether there was any mistake in the record of said votes and if so, what that mistake was?

Answered, in substance, that he was one of the selectmen of said town at said town meeting—that he was present at the making up of the record of said votes—that he did not know of any mistake at the time—that he now thinks there was a mistake—that votes were cast for Moses Norris jr. for Counsellor at said meeting, and that he heard the moderator declare the name of Moses Norris jr. as having votes for Counsellor at said meeting.

On motion of Mr. Gregg of the Senate—

*Resolved*, That Abram S. French, town clerk of said town of Sandown be permitted to amend his record and return of said votes according to the fact.

Said town clerk then amended his record and return accordingly by inserting therein the word “jr.” after the words “Moses Norris.”

On motion of Mr. Gregg of the Senate—

*Resolved*, That said moderator, selectmen, and town clerk of the town of Sandown be discharged from further examination and attendance before the convention.

On motion of Mr. Gregg of the Senate—

The convention proceeded to read and record said returns as amended from the towns of New Market and Sandown.

On motion of Mr. Hatch of the Senate—

The Convention rose and the Senate withdrew.

#### IN HOUSE OF REPRESENTATIVES.

Mr. Baker of Hillsborough gave notice that he will on Monday

next ask leave to introduce a bill entitled "An act to secure the public against the frauds of Banking Institutions."

The House proceeded to the order of the day upon the joint resolution directing the Secretary of State to furnish the New-Hampshire Reports to the clerks of the courts of the counties of Belknap and Carroll.

Which was read a second time.

*Ordered*, That it be read a third time Monday afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act relating to judicial records."

Which was read a second time.

On motion of Mr. Sawyer of Dover—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon bills of the following titles, viz:

"An act to repeal an act allowing a certain premium for killing foxes, approved July 4, 1838 ;"

"An act further to provide for the collection of taxes in certain cases ;"

Which were severally read a second time.

*Ordered*, That they be read a third time Monday afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act to prevent frauds in elections."

Which was read a second time.

Mr. Ela moved that it be referred to the committee on Elections.

Mr. Peabody moved that it be indefinitely postponed.

Mr. Treadwell moved that it lie on the table.

And the question being put,

It was decided in the affirmative.

So the bill was laid on the table.

On motion—

The House adjourned.

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MONDAY, JUNE 14, 1841.

Mr. Emery presented the account of George P. Meserve.

*Ordered*, That it be referred to the committee on Claims.

Mr. Swasey presented the petition of Joel Angier and others, praying for an alteration in the laws for taxation.

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded to the order of the day upon the joint resolution directing the Secretary of State to furnish the New-Hampshire Reports to the clerks of the counties of Belknap and Carroll.

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act to provide further for the collection of taxes in certain cases."

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act to repeal an act allowing a certain premium for killing foxes, approved July 4, 1838."

Which was read a third time.

On motion of Mr. Page of Benton—

*Ordered*, That the bill be put upon its second reading for the purpose of amendment.

Mr. Page of Benton moved that the bill be amended by adding a section.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Patten of Hancock moved that the bill be referred to the committee on Agriculture and Manufactures.

And the question being put,

It was decided in the negative.

Mr. Peabody moved that the bill be indefinitely postponed.

And the question being put,

It was decided in the negative.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act to repeal the second section of an act entitled an act to encourage the manufacture of leather and to prevent frauds therein."



Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Copeland submitted the following resolution :

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of requiring the Secretary of State to send forthwith after the publication thereof the pamphlet laws of this State directly to each town entitled to receive the same.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it lie on the table.

On motion of Mr. Lathrop—

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of so amending the militia laws as to authorize towns to receive the arms belonging to this State, by passing a vote to that effect, in the same way and manner that militia officers now receive them.

The Speaker laid before the House a communication in writing from the Treasurer of this State, inclosing a communication from Robert Davis, late Quarter-Master General, respecting the subject matter of the resolution directing the State Treasurer to report to the House whether the arrears due to the State from the late Quarter-Master General have been paid into the Treasury, agreeably to a resolution of this House, passed November session 1840.

The reading of said communication was called for.

Which was read.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That they be referred to the committee on Military Affairs.

On motion of Mr. Peabody—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for the trial by jury in all civil actions before a justice of the peace when either party shall request it, and report by bill or otherwise.

Mr. Robinson of Concord, by leave, presented the account of James Straw.

*Ordered*, That it be referred to the committee on Claims.

Mr. Robinson of Concord submitted the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the use of the State House yard be granted to the Nashua Artillery company the present week, on their proposed visit to the Capitol.

On the question, shall the resolution be adopted?

It was decided in the affirmative.

So the resolution was adopted.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Pursuant to previous notice and by leave,

Mr. Treadwell introduced a bill entitled "An act for the regulation and government of schools in the town of Portsmouth, approved January 13, 1837."

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending the 17th section of an act entitled "An act defining the jurisdiction powers and duties of a judge of probate and the duties, exemptions and liabilities of executors, administrators and guardians in certain cases, so as to define the powers now granted to judges of probate in the several counties in this State, in relation to the allowance to the widow of a person dying testate or intestate, the estate being solvent or insolvent," and to report by bill or otherwise.

On motion—

The House adjourned.

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TUESDAY, JUNE 15, 1841.

Mr. Morrill of Somersworth presented the petition of Robert Leathers and Jane C. Leathers ;

Mr. Torr presented the petition Bartholomew Wentworth, praying for the alteration of their respective names ;

*Ordered*, That said petitions be referred to the committee on the Alteration of names.

Mr. Glidden presented the account of Urial Dean ;

Mr. Low presented the account of John L. Martin ;

*Ordered*, That said accounts be referred to the committee on Claims.

Mr. Morrill of Boscawen presented the petition of the officers of the 21st regiment, praying for the removal of an officer ;

Mr. Buzzell presented the petition of Jonathan Buzzell, Col. of the 33d regiment, praying for an appropriation for the erection of a Gun House in said regiment, and also for the removal of an officer.

*Ordered*, That they be referred to the committee on Military Affairs.

Mr. Baker of Hillsborough presented the petition of Thomas J. Laton and others, praying for relief against the Concord Railroad corporation.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That said petition lie on the table.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred the petition of J. Clark Payson and others, praying for an act to prevent the destruction of fish in Exeter river, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Tudor, from the same committee, who were instructed to inquire into the expediency of providing by law for the trial by jury in all civil actions before justices of the peace where either party shall request it, reported the following resolution:

*Resolved*, That it is inexpedient to legislate upon the subject.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That the report lie on the table.

Mr. Sawyer of Nashua, from the same committee, to whom was referred the bill entitled "An act to prevent betting or wagering on elections," reported the same without amendment.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Parker of Fitzwilliam from the same committee, to whom was referred the bill entitled "An act providing for the appointment of a reporter of the decisions of the Superior Court of Judicature, made a further report,

Whereupon—

*Resolved*, that said bill be indefinitely postponed.

Mr. Parker of Fitzwilliam, from the same committee who were instructed to inquire into the expediency of requiring landholders to fence on public highways of cultivated lands, made a further report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred the bill entitled "An act relating to judicial records," reported the same without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.



Mr. Swasey, from the same committee, who were instructed to inquire into the expediency of amending or repealing the first section of an act entitled "An act relating to the returns of votes and making further provision for certifying the same," approved Dec. 22, 1840, made a further report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Swasey, from the same committee, to whom was referred the petition of Joel Angier, jr. and others, praying for an alteration in the laws for taxation, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Baker of Hillsborough, from the same committee to whom was referred the petition of Lyman Wright and others, praying for relief against hawkers and pedlers, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Baker of Hillsborough, from the same committee, to whom was referred the bill entitled "An act to guard against and prevent the loss of baggage by the public conveyances," made a further report,

Whereupon—

*Resolved*, That the same be indefinitely postponed.

Mr. Lighton, from the same committee, to whom was referred the petition of Josiah Dearborn, praying for an act in relation to the repairing of meeting houses, reported the following resolution:

*Resolved*, That the petitioner have leave to withdraw his petition.

On motion of Mr. Wedgewood—

*Ordered*, That said report lie on the table.

Mr. Parker of Fitzwilliam, from the same committee, to whom was referred the petition of George Lang and others, praying that collectors of taxes be compelled to give bonds, reported a bill entitled "An act relating to collectors of taxes,"

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Hall of Tamworth, from the committee on the Judiciary, to whom was referred the bill entitled "An act establishing salaries of the Justices of the Superior Court of Judicature, and of the Attorney General," reported as a substitute therefor a bill entitled "An act establishing salaries of the Justices of the Superior Court

of Judicature," and also a bill entitled "An act establishing the salary of the Attorney General,"

Which were severally read a first time.

*Ordered*, That they be read a second time this forenoon at eleven o'clock.

Mr. Hall of Tamworth, from the same committee, to whom was referred the resolution instructing them to inquire whether there is any law of this State authorizing the Court of Common Pleas to pay out of the several county treasuries to the Solicitors in their respective counties, the sum of fifty dollars for each term of attendance upon said Court, in the absence of the Attorney General, besides the two dollars per day allowed as commissioners, reported that the committee are not aware that any such law referred to in said resolution is now in force in this State.

On motion—

*Resolved*, That said report be accepted.

Mr. Hall of Tamworth, from the same committee, who were instructed to inquire into the expediency of equalizing the sums to be paid to the several County Solicitors for their attendance upon Court in the absence of the Attorney General, and that the same be deducted out of the salary of the Attorney General, or paid out of the State treasury instead of the several county treasuries, reported a bill entitled "An act relating to the compensation of County Solicitors."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Blake, from the committee on Military Affairs, to whom was referred the petition of John Marston and others praying for the alteration of the militia law, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Hall of Tamworth, from the committee on the Judiciary, to whom was referred the bill entitled "An act for the more speedy settlement of insolvent estates in certain cases," reported the same bill with an amendment.

The question being upon the adoption of said amendment,

Mr. Hall of Tamworth moved an amendment to said amendment.

On the question, shall the amendment to the amendment be adopted?

It was decided in the affirmative.

So the amendment to the amendment was adopted.

On the question, shall the amendment as amended be adopted?

It was decided in the affirmative.

So said amendment as amended was adopted.

On motion of Mr. Bordman of Gilford—

*Ordered*, That the bill lie on the table.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the petition of Levi Willard and others, praying for an alteration of the law so as to permit persons to send to school in all districts where they pay taxes, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Loughton, from the committee on the Judiciary to whom was referred the bill entitled "An act for continuing all corporations three years for certain purposes," reported the same without amendment.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Townsend, from the committee on Military Affairs, to whom was referred the petition of Chandler Cass and others, inhabitants of Haverhill praying for the passage of a law to furnish Artillery Companies with side arms at the expense of the State, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Patten of Hancock, from the same committee to whom was referred the petition of the officers and privates of the fifth company of Infantry in the 19th regiment praying to be disannexed from said 19th regiment and annexed to the 29th regiment, made a further report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Bingham, from the committee on Roads, Bridges and Canals, to whom was referred the petition of John Greenfield and others, praying for a railroad from Great Falls to Rochester, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the first Tuesday of the next session of the Legislature and that the petitioners give notice to all persons interested in the hearing of the same by causing said petition and the order of notice thereon to be published in one of the newspapers in Portsmouth, and one of the newspapers in Dover, three weeks



successively the last publication to be at least sixty days prior to the first day of the next session of the Legislature.

Mr. Thompson of Salem, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Solomon Jesseman and others inhabitants of the town of Franconia, praying for the passage of an act allowing said town to send a representative to the General Court; the petition of the inhabitants of the town of Peeling, praying to be severed from the town of Ellsworth and have the privilege of sending a representative to the General Court, be referred to the committee on Elections—and that the memorial of Joel Parker and others, recommending two terms of the Superior Court of Judicature to be held at Concord annually, instead of the terms in the several counties; the bill entitled “An act prescribing the times and places of holding the Superior Court of Judicature”; the bill entitled “An act securing to mechanics and laborers a lien on buildings, ships and other vessels”; the bill entitled “An act relating to costs”; the memorial of Joseph A. Braynard, praying for an alteration of the laws relating to debtors and creditors; and the bill entitled “An act to remove one term of the courts from Concord and establish the same at Hopkinton”; be referred to the committee on the Judiciary.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of the officers of the 39th regiment, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Young from the same committee, to whom was referred the petition of the officers and privates of the cavalry company annexed to the 5th regiment of N. H. militia, praying for Legislative aid, and the petition of D. W. Baker and others for the same object, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Ladd of Epping, from the committee on Towns and Parishes, to whom was referred the petition of Jeremiah Herrick and William Tenney, praying that a piece of land belonging to them, lying in the town of Swanzy, be disannexed from said town of Swanzy and annexed to the town of Marlborough, reported the following resolution :

*Resolved*, That the petitioners have leave to withdraw their petition.

On motion of Mr. Batchelder of Marlborough—

*Ordered*, That the report lie upon the table.

Mr. Thompson of Salem, from the committee on Unfinished Business, made a further report,

Whereupon—

*Resolved*, That the petition of Robert Harvey and others; the petition of Perley Mason and 75 others; the petition of Hiram Lewis and 60 others, and the petition of Levi Parker and 300 others, praying for a charter for a bridge across the Connecticut river, from Lyman in the State of New Hampshire to Barnet in the State of Vermont, be referred to the committee on Roads, Bridges and Canals; and that the resolution directing an inquiry into the expediency of districting the State anew for the choice of Senators, be referred to the select committee who have that subject under consideration.

A message from the Senate by their Clerk:

“Mr. Speaker:—The Senate concur with the House of Representatives in the passage of a resolution granting the use of the State House yard to the Nashua Artillery company the present week.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the Secretary of State be requested to lay before the House of Representatives all papers and vouchers in his possession relative to the late settlement with the Quarter-Master General.

The following message in writing was received from His Excellency the Governor by the Secretary of State, which was read and is as follows:

*To the Senate and*

*House of Representatives:*

I herewith transmit the Treasurer's estimate of the probable receipts and disbursements at the Treasury from June 1, 1841, to June 1, 1842.

JOHN PAGE.

Executive Department, }  
June 15, 1841. }

On motion of Mr. Morrill of Somersworth—

*Ordered*, That His Excellency's message with the accompanying estimates be referred to the committee on Finance.

On motion of Mr. Day—

*Resolved*, That the committee on Military affairs be instructed to inquire into the expediency of enacting a law authorizing companies who are required by law to be armed with muskets and

numbering 25 in rank and file, to receive from the arsenal at Portsmouth or Lancaster such a number of muskets as may be necessary to furnish them with arms, upon their complying with the conditions of an act entitled "An act relating to the public property in the arsenal at Portsmouth, approved July 5, 1834," and to report by bill or otherwise.

On motion of Mr. Bruce—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending the law regulating the office of coroner, so that coroners may perform all the duties of said office, excepting service of writs and processes when the sheriff is a party, without giving bonds, and report by bill or otherwise.

The House proceeded to the order of the day upon the bill entitled "An act establishing the salary of the Attorney General."

Which was read a second time.

On motion of Mr. Blaisdell—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bills of the following titles, viz :

"An act relating to collectors of taxes ;"

"An act establishing the salaries of the justices of the superior court of judicature ;"

"An act establishing the salary of the Attorney General ;"

"An act relating to the compensation of county solicitors ;"

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

Mr. Wight gave notice that he will to-morrow ask leave to introduce a bill entitled "An act in addition to an act entitled an act constituting the counties of Belknap and Carroll."

Pursuant to previous notice and by leave,

Mr. Baker of Hillsborough introduced a bill entitled "An act to secure the public against the frauds of banking institutions."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

On motion of Mr. Smith of Bradford—

The House proceeded to the special order of the day upon the bill entitled "An act relating to Railroad Corporations."

Mr. Griffin moved that the bill be indefinitely postponed.

But before the question was taken,

On motion of Mr. Haley—

The House adjourned.



## AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, viz :

"An act to repeal an act allowing a certain premium for killing foxes, passed July 4, 1841 ;"

"An act in addition to and in amendment of an act entitled an act for the regulation and government of schools in the town of Portsmouth; approved January 13, 1837 ;"

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House resumed the consideration of the unfinished business of the forenoon upon the bill entitled "An act relating to Railroad corporations."

The question being upon the motion that said bill be indefinitely postponed.

Mr. Baker of Hillsborough having proceeded to address the House, was called to order by Mr. Flanders.

The Speaker having decided that the remarks of Mr. Baker of Hillsborough were out of order, by reason of irrelevancy to the question before the House,

Mr. Baker of Hillsborough appealed to the House from the decision of the Speaker.

The question being put,

Is the Speaker's decision correct ?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood

Noyes

Brown of Chester

Taylor

Porter

Robinson of Exeter

Odlin

Sanborn of Hampton Falls

Blake

Thayer

Boyd

Vennard

Stickney

Hoit of Northwood

George of Plaistow

Waldron

Wiggin of Portsmouth

Thompson of Salem

Brown of Seabrook

Palmer

Clough of Barrington

Sawyer of Dover

Peirce of Dover

Townsend

Christie	Gutterson
Allen of Lee	Burley of Franklin
Ricker	Ayer
Buzzell of Middleton	Knowlton
Varney	Clough of Loudon
Locke of New Durham	Flanders
Witham	Hoyt of Northfield
Torr	Page of Sutton
Perkins	Pattee
Foss of Strafford	Thompson of Warner
Morrill of Somersworth	Wallace of Amherst
Griffin	Davis of Antrim
McDuffie	Bixby of Francestown
Mooney	Patten of Hancock
Rollins of Barnstead	Pierce of Hillsborough
Bordman of Gilford	Farley
Robinson of Gilford	Bordman of Lyndeborough
Leavitt	Morrison of Manchester
Wight	Stark
Tebbets	Stevens of Mason
Eastman	McGaw
Young of Meredith	Putnam
Ela	Bruce
Norris	Sawyer of Nashua
Curry	Spalding
Morrison of Sanbornton	Beard
Parrish	Baldwin
Harmon	Ainsworth
Wedgewood	Ames
Towle of Freedom	Barnes
Wentworth	Kingsbury of Temple
Burleigh of Sandwich	Colby
Hall of Tamworth	Kingsbury of Alstead
Lialey	Hamilton
Thurston	Coolidge
Scribner	Mason of Dublin
Price	Parker of Fitzwilliam
Morrill of Boscawen	Felt
Smith of Bradford	Davis of Keene
Bailey of Chichester	Batchelder of Marlborough
Shute	Osgood
Carter	Converse
Robinson of Concord	Mason of Sullivan
Hoit of Concord	Abbot

Baker of Troy  
 Tudor  
 Morse  
 Butterfield  
 Humphrey  
 Silsby  
 Hamlin  
 Bingham  
 Cotton  
 Grannis  
 Hall of Croydon  
 Moulton  
 Prentiss  
 Goldthwait  
 Cutler  
 Adams of Springfield  
 Glidden  
 Rogers  
 Wilcomb  
 Moore  
 Sanborn of Campton  
 Merrill  
 Wallace of Franconia

Adams of Grafton  
 Cheney  
 Blaisdell  
 Ladd of Holderness  
 Lathrop  
 Savage  
 Parker of Littleton  
 Brackett  
 Latham  
 Perrin  
 Buzzell of Ellsworth  
 Dearborn  
 Whidden  
 Pitman  
 Johnson  
 Emerton  
 Haines  
 Emery  
 Low  
 Wheeler of Milan  
 Green  
 Cole

Those who voted in the negative are—Messrs.

Knight  
 Patten of Candia  
 Sanborn of Deerfield  
 Rawlings of Deerfield  
 Ladd of Epping  
 Foss of Greenland  
 Batchelder of Hampstead  
 Pickering  
 Currier  
 Crawford  
 Robinson of Poplin  
 Loughton  
 Treadwell  
 Brown of Raymond  
 Garland  
 Jones of Farmington  
 Young of Barnstead  
 Paine

Calley  
 Cate  
 Beacham  
 Wiggins of Ossipee  
 Marden  
 Morgan  
 Sanborn of Canterbury  
 Wiggins of Epsom  
 Gibson of Newbury  
 Doe  
 George of Salisbury  
 Langley  
 Chandler  
 Goodale  
 Stevens of Goffstown  
 Jones of Goffstown  
 Peavey  
 Cross



Bixby of Litchfield	Page of Benton
McMillen	Rand
Gibson of Pelham	Blodgett of Dorchester
Woodbury	Swasey
Whittemore	Smith of Haverhill
Swett	Ferrin
Bill	Weeks of Hill
Mack	Clark
Weeks of Richmond	McGrath
Copeland	Goodwin
Whitcomb	Little
Jones of Washington	Peabody
Locke of Alexandria	Glines
Lang	Ballou
Prescott	Young of Stewartstown
Blodgett of Canaan	Day

Ayes 156. Noes 68.

So the Speaker's decision was sustained.

After further debate,

Pending the question, upon the motion that said bill be indefinitely postponed.

On motion of Mr. Parker of Fitzwilliam—

The House adjourned.

WEDNESDAY, JUNE 16, 1841.

Mr. Whitcomb presented the petition of Caleb Alexander ;

Mr. Batchelder of Hampstead presented the petition of John Hale, praying for the alteration of their respective names ;

*Ordered*, That they be referred to the committee on the Alteration of Names.

Mr. Bruce presented the account of Ezekiel Hurd ;

Mr. Wiggin of Ossipee presented the account of James Garvin ;

*Ordered*, That they be referred to the committee on Claims.

Mr. Perrin presented the petition of A. P. Gould and others, praying for an additional officer in the first company of Riflemen in the 13th regiment ;

Mr. Scribner presented the petition of the field officers of the 21st regiment, praying for the removal of an officer ;

Mr. Porter presented two petitions of Joseph Montgomery and others, praying for the removal of an officer ;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Swasey presented the petition of Abram H. Chandler and others, praying to be severed from the town of Haverhill and annexed to the town of Bath, for the purpose of schooling ;

Mr. Hall of Tamworth presented the petition of James Page and others, praying that a tract of land be severed from the town of Albany and annexed to the town of Tamworth ;

*Ordered*, That said petitions be referred to the committee on Towns and Parishes.

Mr. Towle of Hampton presented the petition of Joseph Dow and another, praying for an alteration of the time of holding the annual meeting of the congregational society in Hampton.

*Ordered*, That it be referred to the committee on Incorporations.

Mr. Treadwell presented a copy of an application made by the Eastern railroad to the judges of the superior court for an injunction against John Philbrook of Hampton—a copy of an injunction issued by one of the judges of said court against said Philbrook—a copy of a notice served upon said Eastern railroad by said Philbrook declaring his intention to avail himself of the act of Dec. 23d 1840, for the purpose of obtaining the amount of damages awarded him by a committee for land taken by said Eastern railroad—a copy of the several acts incorporating the Eastern railroad in New Hampshire, together with a copy of articles of agreement entered into by said Eastern railroad and the Eastern railroad company, a corporation duly established by authority of the Commonwealth of Massachusetts—a copy of a letter of said Philbrook's attorneys to the Hon. N. G. Upham, in answer to a letter from said Upham requesting of them a statement of facts in the case of John Philbrook and the Eastern railroad in New Hampshire, together with the affidavits of John Philbrook, Jonathan Philbrook, D. Philbrook, and Amos Towle.

Whereupon—

*Resolved*, That the above papers be referred to the standing committee on the Judiciary with instructions to report the facts in this case to the House, and that the committee be authorized to send for persons and papers should they deem it necessary.

Mr. Hoyt of Northfield from the Committee on Education to whom was referred so much of His Excellency's message as re-

lates to deaf, dumb and blind persons, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened,* That the sum of seventeen hundred dollars be and the same is hereby appropriated for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford, and the sum of eight hundred dollars for the purpose of educating indigent blind and partially blind persons of this State at the institution for the blind at Boston, that said sums respectively be expended and applied for the benefit of such and so many of those persons as His Excellency the Governor shall elect and approve, and the Governor be and he is hereby authorized to draw said sums from the treasury by warrant.

Which was read a first time.

*Ordered,* That it be read a second time this forenoon at eleven o'clock.

Mr. Swazey from the committee on the Judiciary, to whom was referred so much of His Excellency's message as relates to the protection of debtor and creditor and the compensation of judicial officers, made a report,

Whereupon—

*Resolved,* That the committee be discharged from any further consideration of the subject.

Mr. Tebbetts from the committee on Incorporations, to whom was referred the petition of Joel S. Morrill and others praying for an act of incorporation for a Fire Engine Company No. 7, in the East Village in the town of Concord, made a report,

Whereupon—

*Resolved,* That the petitioners have leave to bring in a bill.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of A. P. Gould and the petition of Calvin W. Keyes and others praying for the removal of an officer, made a report,

Whereupon—

*Resolved,* That the petitioners have leave to withdraw their petition.

Mr. Hall of Tamworth, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending the law regulating the office of Coroner, made a report,

Whereupon—

*Resolved,* That it is inexpedient to legislate upon the subject.

Mr. Lathrop from the committee on Incorporations, to whom was referred the petition of Lorenzo Dow and others, praying



for an act of incorporation for the Grantham Band of Martial Music, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Haley, from the same committee, to whom was referred the petition of Levi Woodbury and others, praying for an act of incorporation of a Fire Engine Company in Antrim, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Baker of Hillsborough, from the committee on the Judiciary to whom was referred the bill entitled "An act giving further remedies in actions of trespass and trespass on the case and in restraint of useless litigation," made a report,

Whereupon—

*Resolved*, That the bill be indefinitely postponed

Mr. Baker of Hillsborough, from the same committee, to whom was referred the petition of Nathaniel Perkins and others, praying for the taxation of the non-resident proprietors or owners of unsettled lands, made a report,

Whereupon—

*Resolved*, That said petition be referred to the committee on Towns and Parishes.

Mr. Colby from the committee on Agriculture and Manufactures to whom was referred the petition of the Amoskeag Manufacturing Company, reported a bill entitled "An act in addition to an act approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Co."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Morrill of Somersworth, from the select committee consisting of the delegation from the county of Strafford to whom was referred the resolution instructing them to inquire into the expediency of locating the terms of the court of common pleas in said county at one place in said county, reported a bill entitled "An act changing the place of holding one of the terms of the court of common pleas in the county of Strafford."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Rand from the joint select committee appointed to fix

upon a day on which the business of the present session may be brought to a close, reported the following resolution:

*Resolved*, That the business of the present session may be brought to a close on Friday the 25th day of June instant.

Which was read.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein:

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the foregoing titles, and the following resolution, to wit:

"An act to provide further for the collection of taxes in certain cases."

"An act to repeal the second section of an act entitled an act to encourage the manufacture of leather and to prevent frauds therein," passed July 3, 1829.

A resolution authorizing and directing the Secretary of State to furnish to each of the clerks of the courts of common pleas for the counties of Belknap and Carroll, one bound set of the New-Hampshire Reports for the use of the courts in said counties."

Mr. Swasey, by leave, presented a preamble and sundry resolutions adopted by the citizens of Haverhill, relating to railroads and other corporations.

Which were read.

On motion of Mr. Swasey—

*Ordered*, That they lie on the table.

Mr. Haley gave notice that he will to-morrow move to reconsider the vote adopting the resolution reported by the committee on Military Affairs to whom was referred the petition of the field officers of the 39th regiment praying for the removal of an officer, he having voted in the affirmative on that question.

The House proceeded to the unfinished business of yesterday upon the bill entitled "An act relating to railroad corporations."

Mr. Griffin withdrew his motion that said bill be indefinitely postponed.

Mr. Robinson of Concord moved that the House resolve itself into a committee of the whole House, upon said bill.

Mr. Baker of Hillsborough raised a question of order, which was, whether the motion to go into committee of the whole

House was in order, while the question upon the third reading of said bill was pending before the House.

\* The Chair decided that said motion was in order.

The question being put upon said motion—

Mr. Baker of Hillsborough called for the Ayes and Noes.

But before the question was taken—

Mr. Robinson of Concord withdrew said motion.

Mr. Griffin renewed his motion that said bill be indefinitely postponed.

But before the question was taken—

On motion of Mr. Harmon—

The House adjourned.

#### AFTERNOON.

The following message in writing was received from his Excellency the Governor by the Secretary of State, which was read and is as follows:

*To the Hon. Senate*

*and House of Representatives:*

I herewith communicate the reports of the Bank Commissioners relative to the condition of the several banks in this State, made in pursuance of the act of December 22d 1840, and other acts relative to banks and banking.

Also the quarterly return of the cashiers of the several banks, stating their condition as it existed on the first Monday, being the 7th day of June instant, made in conformity to the laws of the State.

JOHN PAGE.

*Executive Department, }  
June 16, 1841." }*

On motion of Mr. Spalding—

*Ordered*, That His Excellency's message with the accompanying documents be referred to the committee on Banks.

The House proceeded to the order of the day upon the bill entitled "An act establishing salaries of the Justices of the Superior Court of Judicature."

Which was read a third time.



On motion of Mr. Pickering—

*Ordered*, That said bill be put upon its second reading for the purpose of amendment.

Mr. Pickering moved that the bill be amended by striking out the word 'sixteen' in the fifth line of the first section of said bill, and inserting instead thereof the word 'fourteen.'

The question being upon the adoption of said amendment,

On motion of Mr. Ela—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon bills of the following titles, to wit:

"An act relating to the compensation of County Solicitors."

"An act relating to collectors of taxes."

"An act for continuing all corporations three years for certain purposes."

"An act relating to judicial records."

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act to prevent betting or wagering on elections,"

Which was read a third time.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill be put upon its second reading for the purpose of amendment.

Mr. Smith of Bradford moved that the bill be amended by inserting after the word thereof in the 7th line of the 1st section thereof, the words following to wit: "or if any person shall take and receive any money, goods or other thing, the same having been won upon the result of any election heretofore had."

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Smith of Bradford moved that the bill be farther amended by inserting after the word 'so' in the 10th line of the first section of said bill the word 'receive,'

The question being upon the adoption of said amendment,

On motion of Mr. Spalding—

*Ordered*, That the bill lie on the table.

The House resumed the consideration of the unfinished business of the forenoon—

The question being upon the motion that the bill entitled "An act relating to railroad corporations" be indefinitely postponed.

Before the question was taken,

On motion of Mr. Currier—

The House adjourned.

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## THURSDAY, JUNE 17, 1841.

Mr. Torr presented the petition of Miranda Flanders;

Mr. Jones of Goffstown presented the petition of Woodbridge Poland; praying for the alteration of their respective names.

*Ordered*, That said petitions be referred to the committee on the Alteration of Names.

Mr. Kingsbury of Alstead presented the petition of Benjamin S. Phelps and another, praying for a new piece of ordnance for the Artillery company in the 28th regiment.

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Thompson of Salem presented the petition of Benjamin Clendenin and others, praying for a division of the town of Salem;

Mr. Porter presented the memorial of Frederick W. Bailey and 170 others, remonstrating against the granting of the prayer of said petition.

*Ordered*, That said petition and memorial be referred to the committee on Towns and Parishes.

Mr. Towle of Hampton presented the petition of Simon Brown and others, praying for an act incorporating the Salt Marsh and Meadow Association at Hampton; also the memorial of James Pickering, jr. remonstrating against granting the prayer of said petition.

*Ordered*, That said petition and memorial be referred to the committee on Incorporations.

Mr. Ames, from the committee on Roads, Bridges and Canals, to whom was referred the petition of David H. Sumner, praying for an extension of his charter to build a bridge across Connecticut River, near Hart's Island, made a report,

Whereupon—

*Resolved*, That the petitioner have leave to bring in a bill.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the petition of Joshua Blaisdell and others, praying for an act of incorporation by the name of the Female Seminary at Haverhill, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of amending the 17th section of an act entitled "An act defining the jurisdiction, powers and duties of a judge of probate, and the duties, exemptions and liabilities of executors, administrators and guardians in certain cases, so as to define the powers now granted to judges of probate in the several counties in this State, in relation to the allowance to the widow of a person dying testate or intestate, the estate being solvent or insolvent, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Tudor, from the same committee, to whom was referred the petition of Joseph A. Braynard, praying for an alteration of the laws relating to debtors and creditors, made a further report,

Whereupon—

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Hall of Tamworth, from the same committee, to whom was referred the bill entitled "An act in addition to an act entitled an act for the limitation of actions and preventing vexatious suits," made a further report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Merrill, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of so amending the act entitled "An act to establish the rates at which polls and rateable estate shall be assessed in making direct taxes," approved July 4, 1833, as to make it the duty of the selectmen of the several towns of this State to tax all saw-logs, masts, spars, and manufactured timber, where the value thereof shall exceed the sum of fifty dollars; reported the following resolution:

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Swasey moved that the resolution be amended by striking out all after the word 'Resolved,' and inserting instead thereof the words 'that the mover of said resolution have leave to bring in a bill.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the resolution as amended pass?



It was decided in the affirmative.

So the resolution passed.

Mr. Locke of Alexandria, from the committee on Incorporations, to whom was referred the petition of Joseph Dow and others, praying for an alteration in the time of holding the annual meetings of the Congregational Society in Hampton, made a report;

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Parker of Fitzwilliam from the committee on the Judiciary, to whom was referred the bill entitled "An act securing to mechanics and laborers a lien on buildings, ships and other vessels," reported the following resolution:

*Resolved*, That said bill be indefinitely postponed.

On the question, shall the resolution be adopted?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Morrison of Manchester—

*Ordered*, That said bill lie on the table.

Mr. Parker of Fitzwilliam from the same committee, to whom was referred the bill entitled "An act relating to costs," made a further report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Doe, from the committee on Military Affairs, to whom was referred the petition of the officers of the 20th regiment of N. H. militia, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Cheney, from the committee on the Library, to whom was referred the memorial of Alexander Vattermare, made a report,

Which was read.

Said committee also reported the following resolution:

*Resolved*, That hereafter additional copies of each volume of resolves and public documents printed by order of the Legislature, be printed and bound for the purpose of exchange in foreign countries.

*Resolved*, That the Governor be authorized to transmit any of the above extra copies to the agents of foreign countries in the United States, authorized to receive the same for the above purposes, and that he be further authorized to make exchange of the same.

*Resolved*, That a sum not exceeding                      dollars be subject to the draft of the Governor upon the Treasurer for the collection and exchange of original specimens of natural history and the productions of useful arts, to be expended under the direction of the Governor for the purposes aforesaid,

On motion of Mr. Smith of Bradford—

*Ordered*, That said report be recommitted to the same committee with instructions to fill the blanks in said resolutions.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred the bill entitled "An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation, reported the same in a new draft.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the bill entitled "An act to remove one term of the court from Concord and establish the same at Hopkinton," reported as a substitute therefor, a bill entitled "An act to change the place of holding one of the terms of the court of common pleas for the county of Merrimack."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Haley, from the committee on Incorporations, to whom was referred the petition of Joseph M. Harper and others, praying for an act incorporating the Freewill Baptist Printing establishment and book concern at Dover, reported a bill entitled "An act to incorporate the Trustees of the Freewill Baptist book concern."

Which was read a first time.

Mr. Baker of Hillsborough moved that the bill be indefinitely postponed."

On this question, the ayes and noes were called for.

But before the question was taken,

On motion of Mr. Batchelder of Marlborough—

*Ordered*, That the bill lie on the table.

Mr. Perrin from the committee on Roads, Bridges and Canals, to whom was referred the petition for amending the charter of the Granite Bridge, reported a bill entitled "An act in addition to and in amendment of an act entitled an act to incorporate the Granite Bridge, passed June 1839."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the memorial of Joel Parker and others, and the bill entitled "An act prescribing the times and places of holding the terms of the superior court of judicature," reported the same without amendment.

Said bill being upon its second reading,

Mr. Treadwell moved that it be read a second time at the present time.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

Mr. Ayer, from the committee on Finance, to whom was referred the message of his Excellency the Governor, inclosing the Treasurer's estimate, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the Treasurer of this State be and he hereby is authorized to borrow on the credit and for the use of the State, at such times and in such portions as he may consider necessary and proper, a sum not exceeding thirty-six thousand dollars at the lowest rate of interest at which the sum can be procured, not exceeding six per cent. per annum, and the Treasurer for the time being is authorized to pay the sum or sums so borrowed and the interest thereon when the same shall become due, out of any money in the Treasury not otherwise appropriated.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Ayer, from the same committee, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the sum of five hundred dollars be and the same is hereby appropriated for the contingent expenses of the State, and that His Excellency the Governor be and hereby is authorized to draw from time to time from the Treasury for such expenses, such sums as to him may appear necessary, not exceeding in the whole the above sum.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Treadwell, by leave, presented two several accounts of Theodore F. Rowe.

On motion of Mr. Treadwell—

*Ordered*, That they be referred to the committee on Military Accounts.



The House proceeded to the order of the day upon the bill entitled "An act to incorporate the Campton Village Manufacturing Company."

Which was read a second time.

Mr. Sawyer of Nashua offered an amendment to the bill.

Mr. Baker of Hillsborough offered an amendment to the amendment.

The question being upon the adoption of the amendment to the amendment,

On motion of Mr. Baker of Hillsborough—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bill entitled "An act relating to passenger carriers."

Which was read a second time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act changing the place of holding one of the terms of the court of common pleas in the county of Strafford."

Which was read a second time.

Mr. Ela moved that the bill be indefinitely postponed.

And the question being put,

It was decided in the negative.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the bill be referred to the committee on Bills on their Second Reading.

The House proceeded in the order of the day upon the resolution making an appropriation for the education of indigent deaf, dumb and blind persons.

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act in addition to an act, approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Company."

Which was read a second time.

On motion of Mr. Treadwell—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bill entitled "An act to change the place of holding one of the terms of the court of common pleas for the county of Merrimack."

Which was read a second time.

On motion of Mr. Robinson of Concord—

*Ordered*, That said bill be referred to a select committee consisting of the delegation from the county of Merrimack.

The House proceeded in the order of the day upon the bill entitled "An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation."

Which was read a second time.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

The Speaker laid before the House the account and vouchers of Robert Davis, late Quarter-Master General, which had been transmitted to the House by the Secretary of State, agreeably to a resolution of the House.

On motion of Mr. Ayer—

*Ordered*, That they be referred to the committee on Military Affairs.

On motion of Mr. Haley—

The House reconsidered the vote adopting the resolution reported by the committee on Military Affairs, to whom was referred the petition of the field officers of the 39th regiment, praying for the removal of an officer.

On motion of Mr. Haley—

*Ordered*, That the report and petition be recommitted to the same committee.

Mr. Bordman of Gifford gave notice that he will to-morrow ask leave to introduce a bill to prevent the destruction of salmon trout in Winnipiseogee Lake, and the bays of the Winnipiseogee river.

On motion of Mr. Glidden—

*Resolved*, That the committee on Military affairs be instructed to inquire into the expediency of extending the limits of the third company of Infantry in the 16th regiment, so as to embrace therein the 2d company in said regiment, and report by bill or otherwise.

The House proceeded in the order of the day upon the bill entitled "An act to secure the public against the frauds of banking institutions."

Which was read a second time.

Mr. Parker of Fitzwilliam moved that the bill be referred to the committee on the Judiciary.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That the bill lie on the table, and be made the special order of the day for to-morrow forenoon at 11 o'clock.

On motion of Mr. Swazey—

*Ordered*, That the Clerk be directed to procure three hundred printed copies of said bill for the use of the House.

The House resumed the consideration of the unfinished business of yesterday, upon the bill entitled "An act relating to Railroad corporations."

The question being upon the motion that said bill be indefinitely postponed.

Before the question was taken,

On motion of Mr. Ela—

The House adjourned.

### AFTERNOON.

On motion of Mr. Parker of Fitzwilliam—

The House resumed the consideration of the message of His Excellency the Governor enclosing three bills prepared by the committee on the revision of the laws under the instructions of the last Legislature, having for their object the abolishment of imprisonment for debt, combining with such basis the security of the creditor upon the property of the debtor.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That His Excellency's message with the accompanying documents be referred to the committee on the Judiciary. Agreeably to a resolution of the House,

Mr. Morrison of Manchester introduced a bill entitled "An act to incorporate the New Boston Fire Insurance Company,"

Which was read a first and second time.

Mr. Parker of Fitzwilliam moved that the bill be referred to the committee on Incorporations.

And the question being put,

It was decided in the negative.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

Agreeably to a resolution of the House,

Mr. Cutler introduced a bill entitled "An act in addition to an act entitled an act relating to the rebuilding of Hart Island Bridge."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.



Pursuant to previous notice and by leave,

Mr. Wight introduced a bill entitled "An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

Which was read a first and second time.

On motion of Mr. Wight—

*Ordered*, That the bill be referred to a select committee consisting of the delegation from the county of Belknap.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate have passed a bill with the following title, in which they ask the concurrence of the House.

"An act more effectually to prevent damage to the property of travellers, teamsters and other persons, by cattle and other creatures permitted to go at large."

The House proceeded to the consideration of the foregoing bill which came down from the Honorable Senate,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Peirce of Dover gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to unite certain railroad corporations with the Boston and Maine Railroad."

The House resumed the consideration of the unfinished business of the forenoon, upon the bill entitled "An act relating to railroad corporations."

The question being upon the motion that the bill be indefinitely postponed.

Before the question was taken,

On motion of Mr. Bordman of Gilford—

The House adjourned.

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FRIDAY, JUNE 18, 1841.

Mr. Loughton presented the petition of Samuel E. Coues and others, citizens and legal voters of the town of Portsmouth, remonstrating against the passage of any law repealing that part of the charter of the Eastern Railroad in New Hampshire which authorizes the railroad to cross Vaughan street in Portsmouth to the line of the State of Maine, and praying for the passage of an

act authorizing said railroad to be so located between said Vaughan street and the line of the State of Maine as conveniently to connect with the Portland, Saco and Portsmouth Railroad.

On motion of Mr. Loughton—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Merrill presented the petition of Paul Burnham and others, praying for the incorporation of a band of martial music;

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Whittemore presented the account of John F. Holt for building a gun house.

On motion of Mr. Whittemore—

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Fifield presented the petition of John T. Burnham and others, praying for a law for the preservation of fish in the Piscataqua river and its branches.

*Ordered*, That it be referred to the committee on the Judiciary.

Mr. Harmon, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of Nathaniel Batchelder and others praying for an act of incorporation by the name of the President, Directors and Company of the Swamscot Bank, and the resolution directing an inquiry into the expediency of limiting the indebtedness of bank directors, be referred to the committee on Banks.

Mr. Harmon from the same committee, made a farther report, Whereupon—

*Resolved*, That the petition of the officers of the first company of Artillery in the 6th regiment, and of sundry inhabitants of Swanzey, praying for two pieces of ordnance and an appropriation of one hundred dollars to enlarge a gun house, be referred to the committee on Military Affairs.

Mr. Ladd, from the committee on Towns and Parishes, to whom was referred the petition of James Page and others, praying that a tract of land be severed from Albany and annexed to Tamworth, made a report,

Whereupon—

*Resolved*, That said petition be postponed to the next session of the Legislature, and that the petitioners cause said towns of

Albany and Somersworth to be notified thereof on or before the first day of February next.

Mr. Stevens of Goffstown, from the committee on Towns and Parishes, to whom was referred the petition of Abraham H. Chandler and others, praying to be disannexed from the town of Haverhill and annexed to the town of Bath for the purposes of schooling, made a report,

Whereupon—

*Resolved*, That said petition be referred to the committee on Education.

Mr. Weeks of Richmond, from the same committee to whom was referred the petition of Samuel Osgood and another, praying to be disannexed from the town of Gilmanton and annexed to the town of Gilford, made a further report,

Whereupon—

*Resolved*, That said petition be postponed to the next session of the Legislature, and that said petitioners notify the selectmen of said towns of Gilmanton and Gilford thereof, on or before the first day of February next.

Mr. Thompson of Salem, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the petition of the town of Orange to have that part of Canaan lying on the east of the line of Canaan as first surveyed by the proprietors annexed to the town of Orange, be referred to the committee on Towns and Parishes.

Mr. Harmon from the same committee, made a further report,

Whereupon—

*Resolved*, That the message of His Excellency the Governor enclosing the memorial of the Historical Society of the State of New York, be referred to the committee on the Judiciary.

Mr. Thompson of Salem, from the same committee, made a further report;

Whereupon—

*Resolved*, That the bill entitled "An act concerning the apprehension of criminals," and the bill entitled "An act in addition to an act entitled an act defining the powers and duties of fire-wards and other persons in certain cases," be referred to the committee on the Judiciary.

And that the resolution directing the committee on Banks to inquire into the expediency of providing by law that no director of any bank shall be indebted to said bank, as principal or surety on loans made by said bank, be referred to the committee on Banks.



And that the petition of Albert Pitkin and others, praying for an act of incorporation for a turnpike through Dixville and Millsfield, be referred to the committee on Roads, Bridges and Canals.

Mr. Thompson of Salem, from the same committee, made a further report,

Whereupon—

*Resolved*, That the petition of the association of school teachers of Cheshire county, praying for the passage of a law authorizing school districts to unite their funds in certain cases, be referred to the committee on Education.

Mr. Thompson of Salem, from the same committee, made a farther report,

Whereupon—

*Resolved*, That the petition of Lois Currier and others, and the petition of Joseph H. Stevens and others, praying that married women may hold for their own use and benefit, rents and profits of real estate, be referred to the committee on the Judiciary.

Mr. Harmon, from the same committee, made a further report,

Whereupon—

*Resolved*, That the petition of the stockholders of the Concord Bank be referred to the committee on Banks.

Mr. Sawyer of Nashua, from the committee on the Judiciary to whom was referred the bill entitled "An act relating to passenger carriers," made a report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Ayer, from the committee on Finance, reported a bill entitled "An act to raise sixty thousand dollars for the use of the State."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Odlin from the committee on Incorporations, to whom was referred the bill entitled "An act to incorporate the People's Literary Institute and Gymnasium," reported the same in a new draft.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled "An act relating to Railroad corporations,"

The question being upon the motion that said bill be indefinitely postponed,

Before the question was taken—

On motion of Mr. Sawyer of Nashua—

The House adjourned.

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### AFTERNOON.

The House proceeded to the order of the day upon the bill entitled "An act to incorporate the New Boston Fire Insurance Company."

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution making an appropriation for the education of indigent deaf and dumb and blind persons of this State.

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Smith of Bradford, from the committee on Elections, made a report,

On motion of Mr. Smith of Bradford—

*Ordered*, That the report lie on the table.

Mr. Ayer submitted the following resolution:

*Resolved*, That from and after to-morrow the rules of the House shall be so far amended, that when the House adjourns in the forenoon, it shall adjourn to meet at two o'clock in the afternoon, and when it adjourns in the afternoon it shall adjourn to meet at nine o'clock the next morning.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the resolution lie on the table.

The House resumed the consideration of the unfinished business of the forenoon upon the bill entitled "An act relating to Railroad corporations."

The question being taken upon the motion that said bill be indefinitely postponed,

And the ayes and noes having been called for—

Those who voted in the affirmative are—Messrs.

Stickney	Ualey
Waldron	Scribner
Wiggin of Portsmouth	Smith of Bradford
Dennett	Shute
Buzzell of Middleton	Carter
Locke of New Durham	Robinson of Concord
Perkins	Hoit of Concord
Bordman of Gilford	Guttersen
Robinson of Gilford	Clough of Loudon
Eastman	Hoyt of Northfield
Young of Meredith	Page of Sutton
Ela	Pattee
Norris	Thompson of Warner
Curry	Bailey of Brookline
Morrison of Sanbornton	Patten of Hancock
Parrish	Bruce
Wedgewood	Silsby
Towle of Freedom	Bingham
Wentworth	Buzzell of Ellsworth
Burleigh of Sandwich	Dearborn
Hall of Tamworth	Whidden

Those who voted in the negative are—Messrs.

Knight	Pickering
Patten of Candia	Currier
Noyes	Batchelder of North Hampton
Brown of Chester	Hoit of Northwood
Webster	Crawford
Sanborn of Deerfield	George of Plaistow
Rawlings of Deerfield	Robinson of Poplin
Taylor	Laighton
Porter	Treadwell
Ladd of Epping	Garland
Odlin	Thompson of Salem
Foss of Greenland	Brown of Seabrook
Batchelder of Hampstead	Palmer
Towle of Hampton	Fifield
Blake	Morrison of Windham
Thayer	Clough of Barrington
Boyd	Sawyer of Dover
Vennard	Peirce of Dover



Townsend	Chandler
Christie	Goodale
Jones of Farmington	Bixby of Francestown
Allen of Lee	Stevens of Goffstown
Ricker	Jones of Goffstown
Varney	Peavey
Witham	Baker of Hillsborough
Torr	Pierce of Hillsborough
Foss of Strafford	Farley
Morrill of Somersworth	Cross
McDuffie	Bixby of Litchfield
Mooney	Bordman of Lyndeborough
Young of Barnstead	Morrison of Manchester
Rollins of Barnstead	Stark
Paine	Stevens of Mason
Leavitt	McGaw
Wight	Putnam
Tebbets	Sawyer of Nashua
Calley	Spalding
Cate	Beard
Harmon	Baldwin
Beacham	Ainsworth
Wiggin of Ossipee	McMillen
Thompson of Wolfborough	Gibson of Pelham
Thurston	Steele
Marden	Ames
Price	Barnes
Morrill of Boscawen	Kingsbury of Temple
Morgan	Woodbury
Sanborn of Canterbury	Colby
Bailey of Chichester	Whittemore
Wiggin of Epsom	Swett
Burley of Franklin	Kingsbury of Alstead
Marsh	Hamilton
Wilson	Coolidge
Knowlton	Mason of Dublin
Gibson of Newbury	Parker of Fitzwilliam
Flanders	Bill
Doe	Wheeler of Keene
George of Salisbury	Davis of Keene
Langley	Batchelder of Marlborough
Wallace of Amherst	Mack
Davis of Antrim	Osgood

Weeks of Richmond	Blodgett of Dorchester
Converse	Wallace of Franconia
Rawson	Cheney
Copeland	Swasey
Mason of Sullivan	Smith of Haverhill
Abbot	Ferrin
Whitcomb	Weeks of Hill
Baker of Troy	Ladd of Holderness
Tudor	Clark
Morse	Allen of Lebanon
Butterfield	Lathrop
Humphrey	Savage
Hamlin	Parker of Littleton
Cotton	Brackett
Grannis	Stevens of Lyman
Breck	Latham
Hail of Croydon	Perrin
Willey	McGrath
Moulton	Evans
Prentiss	Goodwin
Goldthwait	Little
Cutler	Pitman
Adams of Springfield	Glines
Glidden	Johnson
Jones of Washington	Emerton
Rogers	Ballou
Locke of Alexandria	Haines
Lang	Emery
Wilcomb	Low
Prescott	Wheeler of Milan
Moore	Green
Blodgett of Canaan	Young of Stewartstown
Page of Benton	Day
Rand	Cole

Mr. Treadwell objected to the votes of Messrs. Ayer, Blaisdell, Merrill and Adams being taken upon this question, upon the ground of their being stockholders in the Concord Railroad, and therefore directly interested in the result of the question—and called upon the Speaker to apply and enforce in their cases the sixteenth rule of the House.

The Speaker decided that the interest of these gentlemen in this question, was not of such a nature as to come within the scope and effect of such rule.

Messrs. Ayer, Blaisdell, Merrill and Adams having been severally called answered as follows :

In the affirmative, Messrs. Ayer and Merrill.

In the negative, Messrs. Adams and Blaisdell.

Ayes 44. Noes 192.

So the motion to postpone said bill indefinitely did not prevail.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the bill lie upon the table.

A message from the Senate by their Clerk:

“Mr. Speaker:—The Senate concur with the House of Representatives in the passage of bills with the following titles—to wit :

“An act in addition to and in amendment of an act entitled an act for the regulation and government of schools in the town of Portsmouth, approved January 13, 1837 ;”

“An act to repeal an act allowing a certain premium for killing foxes, passed July 4, 1838 ;”

The Senate have passed bills with the following titles, in which they ask the concurrence of the House, to wit :

“An act to repeal an act entitled an act relating to the return of votes, and making further provision for certifying the same.”

“An act in addition to and in amendment of an act relating to the organization of the courts of justice, approved December 29, 1832.”

“An act in addition to and in amendment of the laws now in force for the ease and relief of poor debtors.”

The House proceeded to the consideration of the bill entitled “An act to repeal an act entitled an act relating to the return of votes, and making further provision for certifying the same, which came down from the Hon. Senate.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

The House proceeded to the consideration of the bill entitled “An act in addition to and in amendment of an act relating to the organization of the courts of justice,” approved Dec. 29, 1832, which came down from the Hon. Senate.

Which was read a first and second time.



On motion of Mr. Sawyer of Nashua—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded to the consideration of the bill entitled "An act in addition to and in amendment of the laws now in force for the ease and relief of poor debtors," which came down from the Hon. Senate.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on the Judiciary.

Agreeably to a resolution of the House,

Mr. Day introduced a bill entitled "An act in addition to an act entitled an act to establish the rates at which polls and rateable estate shall be assessed in making up direct taxes," approved January 4, 1833.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Agreeably to a resolution of the House,

Mr. Davis of Antrim introduced a bill entitled "An act to incorporate Engine Co. No. 1 in Antrim."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Bordman of Gilford introduced a bill entitled "An act to prevent the destruction of fish in the Winnipisseogee Lake and the bays of the Winnipisseogee River."

Which was read a first and second time.

On motion of Mr. Bordman of Gilford—

*Ordered*, That it be referred to a select committee consisting of the delegation from the counties of Belknap and Carroll."

On motion of Mr. Ferrin—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of altering or amending an act entitled "An act for the preservation of highways and bridges," passed July 6, 1829.

Agreeably to a resolution of the House,

Mr. Page of Benton introduced a bill entitled "An act to incorporate the Female Seminary at Haverhill,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Agreeably to a resolution of the House,

Mr. Whittemore introduced a bill entitled "An act to incorporate the Lafayette Artillery,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Peirce of Dover introduced a bill entitled "An act to unite certain railroad corporations with the Boston and Maine railroad."

Which was read a first and second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

On motion—

The House adjourned.

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SATURDAY, JUNE 19, 1841.

Mr. Sanborn of Deerfield presented the account of Josiah Stevens, jr.;

Mr. Curry presented the account of James Pickering;

Also the account of Isaac L. Folsom;

Also the account of Stephen W. Dearborn;

*Ordered*, That said accounts be referred to the committee on Claims.

Mr. Townsend presented the petition of the officers of the second regiment of N. H. militia, praying for an appropriation for a gun house;

Mr. Stickney presented the petition of sundry officers of the 4th regiment, N. H. militia;

Mr. Robinson of Concord presented the petition of officers of the Columbian Artillery, praying for the removal of an officer;

*Ordered*, That said petitions be referred to the committee on Military Affairs.

Mr. Dennett presented the petition of the directors of the Great Falls and South Berwick Branch Railroad Company, praying for leave to cross the Salmon Falls River, near the Great Falls, and to connect with any other railroad in Strafford county.

*Ordered*, That said petition be referred to the committee on Roads, Bridges and Canals.

Mr. Glidden presented the petition of Ambrose Cossit and

others, praying for a charter for a bank to be styled the Sullivan County Bank.

*Ordered*, That it be referred to the committee on Banks.

Mr. Moore presented the petition of the N. H. Liberty Convention, praying for legislative enactments for the protection of certain free persons of color, citizens of New Hampshire, from the laws of the State of Alabama.

Mr. Flanders moved that said petition lie on the table.

And the question being put—

It was decided in the negative.

*Ordered*, That said petition be referred to the committee on the Judiciary.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred the bill entitled "An act in addition to an act entitled an act defining the powers and duties of firewards, and other persons in certain cases, made a report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Hall of Tamworth, from the same committee, to whom was referred the bill entitled "An act concerning the apprehension of criminals," made a further report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Parker of Fitzwilliam from the same committee, who were instructed to inquire into the expediency of enacting a law making it the duty of the selectmen to tax bequests in certain cases, made a further report,

Whereupon—

*Resolved*, That it is inexpedient at this time to legislate upon the subject.

Mr. Cheney, from the committee on the Library, to whom was recommitted the report and resolutions relating to the subject matter of the memorial of Alexander Vattermare, with instructions to fill the blanks in the resolutions, reported said resolutions in a new draft as follows:

*Resolved by the Senate and House of Representatives in General Court convened*, That hereafter twenty-five additional copies of volumes of the laws, resolves and public documents printed by order of the Legislature, be printed and bound for the purpose of exchange in foreign countries.

*Resolved*, That the Governor be authorized to transmit any of the above extra copies to the agents of foreign countries in the United States, authorized to make exchange of the same.



*Resolved*, That a sum not exceeding five hundred dollars be subject to the draft of the Governor upon the Treasurer for the collection and exchange of original specimens of natural history and the productions of useful arts, to be expended under the direction of the Governor for the purposes aforesaid.

Which were read a first time.

Mr. Bruce moved that the resolutions lie on the table, and that the Clerk be directed to procure three hundred printed copies for the use of the House.

And the question being put,

It was decided in the negative.

*Ordered*, That the resolutions be read a second time this forenoon at eleven o'clock.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom were referred the petition of Sally Stearns and others, and the petition of Joseph H. Stevens and others, praying for an alteration of the law so that married women may hold to their separate use lands which may accrue to them by inheritance or otherwise, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Lighton, from the same committee to whom was referred the petition of John T. Burnham and others, praying for the enactment of a law for the preservation of the fisheries in the Piscataqua River and its branches, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Page of Sutton, from the committee on the State House and State House Yard, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That William Fiske be and he hereby is appointed to take charge of the State House and State House Yard the ensuing year.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Blake from the committee on Military Affairs to whom was referred the account of the late Quarter Master General with the accompanying papers, made a report,

Whereupon—

*Resolved*, That the further consideration of said account with

the accompanying papers be referred to the committee on Military Accounts.

Mr. Bruce from the committee on Claims to whom was referred the account of Elijah Carpenter and others, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened,* That Elijah Carpenter be allowed the sum of twelve dollars; that Ezekiel Hurd be allowed the sum of eight dollars; that James Garvin be allowed the sum of five dollars, that George P. Meserve be allowed the sum of twenty two dollars, and that Samuel Marshall be allowed the sum of five dollars and sixty cents, in full for their several accounts, the same to be paid out of any money in the treasury not otherwise appropriated.

Which was read a first time.

*Ordered,* That it be read a second time this forenoon at eleven o'clock.

Mr. Loughton from the select committee who were appointed to take into consideration the expediency of authorizing the several towns in this State to dispose of that portion of the public money now deposited with them as they may vote to do, reported a bill entitled "An act repealing the first and second sections of an act approved July 4th, 1838, entitled an act in amendment of and in addition to an act entitled an act providing for the disposition of the public money of the United States which shall be deposited with this State, approved January 13th 1837."

Which was read a first time.

*Ordered,* That it be read a second time this forenoon at eleven o'clock.

Mr. Wentworth from the select committee consisting of the delegation from the counties of Belknap and Carroll, to whom was referred the bill entitled "An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll," reported the same in a new draft.

Which was read a first time.

*Ordered;* That it be read a second time this forenoon at eleven o'clock.

On motion of Mr. Woodbury—

*Resolved,* That when the House adjourns this forenoon they adjourn to meet again on Monday next at three o'clock in the afternoon.

Agreeably to a resolution of the House,

Mr. Treadwell introduced a bill entitled "An act to alter the time of holding the annual meetings of the Congregational Society in Hampton."

Which was read a first and second time.

*Ordered*, That it be read a third time Monday afternoon at three o'clock.

The Speaker laid before the House an estimate of the receipts and disbursements at the office of the Adjutant General, the last year, for military purposes, which had been transmitted by the Adjutant General, agreeably to a resolution of the House.

On motion of Mr. Bordman of Gilford—

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Colby—

The House resumed the consideration of the report of the committee on Elections, to whom were referred the certificates of the election of members returned to this House,

Which was read and is as follows:

“The standing committee on Elections, to whom were referred the certificates of the election of members returned to serve in this House, having attended to the duty assigned them, and having examined the aforesaid certificates and all other evidences laid before them, have directed me to report the following resolution.

B. SMITH, for the Committee.

*Resolved*, That the following named gentlemen have been legally elected as members of this House, and are entitled to seats therein, to wit:

#### FROM THE COUNTY OF ROCKINGHAM.

Henry Knight  
Jonathan Robinson  
Rufus E. Patten  
John W. Noyes  
John S. Brown  
Nathaniel Webster  
Thomas D. Rawlins  
Peter Sanborn  
Henry Taylor  
John Porter  
Daniel W. Ladd  
Josiah Robinson  
Woodbridge Odlin  
John Foss  
Lorenzo Batchelder

Amos Towle, Jr.  
Thayer S. Sanborn  
John T. Blake  
Calvin Thayer  
Robert Boyd, Jr.  
George Vennard  
Winthrop Pickering  
William W. Stickney  
Elijah R. Currier  
James Batchelder  
Richard Hoyt  
John Crawford  
James G. George  
Perley Robinson  
Isaac Waldron



Robert Morrison	Benjamin F. Brown
Samuel P. Wiggin	George B. Fifield
Thomas B. Loughton	Nathaniel Webster
Nathaniel Dennet, Jr.	John H. Thompson
Thomas P. Treadwell	John Palmer
Jona. S. Brown	Jeremiah Morrison
Ruel Garland	

## FROM THE COUNTY OF STRAFFORD.

Micajah S. Clough	Jacob P. Buswell
Thomas E. Sawyer	Nathaniel Lock
Andrew Pierce	Jacob Morrill
Jonas D. Townsend	William E. Griffin
Daniel M. Christie	John H. Varney
Samuel Burnham	John Witham
Jeremiah Jones	Jonathan H. Torr
Charles Allen	Paul Perkins
John Ricker	James B. Foss

## FROM THE COUNTY OF BELKNAP.

James McDuffie, 3d	Aaron Robinson
Joseph Mooney	Joseph Ela
Stephen Young	Abel B. Eastman
Samuel Rollins, Jr.	Winthrop Young
James M. Paine	Nathaniel Norris
Jeremiah Leavitt	John Curry
Nahum Wight	Benjamin Calley
Nathan C. Tebbets	Bradbury Morrison
Benjamin Bordman	

## FROM THE COUNTY OF CARROLL.

Chester Parish	Paul Wentworth
William T. Cate	Nathaniel Burley
Artemas Harmon	Obed Hall
Jonathan Wedgwood	Abel Haley
Elias Towle	Benjamin F. Thompson
Asa Beacham	James Thurston
Brackett Wiggin	

## FROM THE COUNTY OF MERRIMACK.

Israel Marden  
Benjamin F. Scribner  
Joseph Morrill  
Ebenezer Price  
Amos Morgan  
Bartholomew Smith  
Benjamin Sanborn  
John Bailey  
Abial C. Carter  
Moses Shute  
Joseph Robinson  
Jacob Hoyt  
Nathan Guttererson  
Eliphalet Wiggin  
Henry Burley

Parrot Marsh  
Richard H. Ayer  
Robert Wilson  
Josiah S. Knowlton  
Joseph Clough, 3d  
Jacob Gibson  
Walter P. Flanders  
Enos Hoyt  
George W. Dee  
True George  
Enoch Page  
Asa Pattee  
Robert Thompson  
Andrew Langley

## FROM THE COUNTY OF HILLSBOROUGH.

Andrew Wallace  
Joseph Davis, 2d  
Thomas Chandler  
Ensign Bailey  
Robert Goodale  
Paul H. Bixby  
Benjamin Stevens, 2d  
Shubael T. Jones  
Zebadiah Peavey  
David Patten  
Albert Baker  
Henry D. Pierce  
Leonard Farley  
Jabez P. F. Cross  
Parker Bixby  
Daniel N. Boardman  
George W. Morrison  
Charles Stark  
Samuel Jackson

John Stevens  
Robert McGaw  
Daniel Putnam  
Nathaniel Bruce  
George Y. Sawyer  
Isaac Spalding  
Albin Beard  
Josephus Baldwin  
William Ainsworth  
Asa McMillen  
Jesse Gibson  
Timothy K. Ames  
Stephen P. Steele  
Asa Barnes  
John Sweatt  
Nathaniel Kingsbury  
William Woodbury  
Simon P. Colby  
Abram Whittemore

## FROM THE COUNTY OF CHESHIRE.

Joseph Kingsbury  
Asa Hamilton  
Oscar Cooledge  
Calvin Mason  
Amos A. Parker  
David Bill  
John Felt  
Sumner Wheeler  
Aaron Davis  
James Batchelor  
Amasa Mack  
Josiah Osgood

Jarvis Weeks  
Joshua Converse  
Alanson Rawson  
Asa Copeland  
Rufus Mason  
Daniel Abbot  
Leonard Whitcomb  
Abel Baker  
Ebenezer Morse  
Henry S. Tudor  
Asahel J. Humphrey  
Asaph Butterfield

## FROM THE COUNTY OF SULLIVAN.

Joseph G. Silsby  
Ashbel Hamlin  
James H. Bingham  
Nathaniel Cotton  
Laurens A. Grannis  
Henry Breck  
Calvin Hall  
Olivet Willey

Samuel C. Moulton  
Samuel Prentiss  
Zina Goldthwaite  
Benjamin Cutler  
Daniel N. Adams  
Ezra J. Glidden  
Simon W. Jones  
Charles Rogers

## FROM THE COUNTY OF GRAFTON.

William Lock  
William Lang  
Daniel Wilcomb  
James J. Page  
Jesse Prescott  
Robert W. Moore  
Daniel Sanborn  
Caleb Blodgett  
John S. Rand  
Jeremiah Blodgett  
Thomas Merrill

Reuben Wallace  
Cyrus Adams  
Albert G. Cheney  
Ashbel Smith  
Daniel Blaisdell  
Samuel Swasey  
Samuel Smith  
Enos Ferrin  
Jonathan Weeks, Jr.  
Jesse Ladd  
Moses Clark



Isaac Allen	Henry S. Perrin
George H. Lathrop	Robert Evans
Otis Savage	Jonathan Dearborn
Ezra Parker	Aaron Goodwin
Aaron Brackett	Mark Whidden
Herod Stevens	Jesse Little
Arthur Latham, Jr.	J. F. A. Peabody
Henry McGrath	David R. Buswell

## FROM THE COUNTY OF COOS.

Joseph Pitman	John S. Wells
Ebenezer Glines	Peter Wheeler
Moses Johnson	Clark J. Haines
Thomas J. Emerton	Daniel Green
Aaron Ballou	Jonathan Young
Joseph P. Emery	Nahum D. Day
Justus Low	Samuel Cole

Your committee have included in the foregoing list the names of the members returned from the towns of Pembroke, Jaffrey, Franconia and Campton, although the town clerks of said towns have not certified in their respective certificates the number of rateable polls which their respective lists contained on the day of their annual election, as certified by the selectmen of said towns.

They have also included in said list the names of the members from the towns of Strafford and Plainfield, although the town clerks of said towns have not certified in their respective certificates either the number of rateable polls which their respective lists contained on the day of their annual election, or the number of legal voters their respective check lists contained, as corrected on the day of the election and certified by the selectmen.

They have also included in said list the names of the members returned from the towns of Centre Harbour, Columbia, Newington, Hampton Falls, Sharon, Winchester, Nelson, Hebron, Benton and Orange, although the certificates of the selectmen of the said towns do not shew that said towns have the requisite or constitutional number of rateable polls to entitle them to the representation they have respectively returned to this House.

From the facts that no objections have been offered to the right which the members from the above named towns had to hold their seats in this House and from the fact that they have heretofore

been represented and from various other circumstances; your committee are inclined to the belief that the aforesaid towns do in fact each contain the constitutional number of rateable polls to entitle them to the number of representatives returned—or that they have been authorized so to do by special acts of the legislature—which the town clerks have neglected to note in their certificates of the election of members of this House.

Your committee have also included in the aforesaid list the names of all the members returned from the town of Manchester, although it does not appear from the certificate of their election that either Charles Stark or Samuel Jackson was declared, by the moderator, to be duly elected. It appeared from the certified return of the number of votes cast for each and every person voted for in the choice of representatives in said town—and from the testimony of the moderator who presided at the meeting that the said Charles Stark and Samuel Jackson had each a majority of all the votes given—but owing to the manner in which the votes were sorted and counted, it was thought, at the time, that but one representative was elected, when in fact there were three.

Your committee have included, also, in said list, the names of the members from the towns of Milan and Troy, although from the certificates of the town clerks of said towns, the annual election at which said members were chosen appears to be holden A. D. 1840.

Your committee have also included in said list the names of the members from the town of Hopkinton, although the number of votes cast for each person voted for, is not given—but simply declares that each of the persons returned as members had a majority of all the votes cast.

They have also included in the list aforesaid the names of the members returned from the towns of Ossipee, Charlestown, Colebrook and Woodstock, &c.—also the name of Thomas P. Treadwell, returned as a member from the town of Portsmouth—although there were returned, in the certificates of the town clerks of said towns certifying the election of the aforesaid members—scattering votes, without giving the names of the persons for whom said votes were cast.

Your committee have also included in said list the names of the members returned from the towns of Marlow, Roxbury, Lyme, Pittsburg, Brookline and Chester, although it did not appear from the certificates of the town clerks that the check lists used on the day of the election had been posted up at any public place, but

generally at the *dwelling* house of some individual, without stating whether it was a public place or not.

Your committee have also included in the aforesaid list, the names of the members returned from the towns of Hudson, Wolfeborough, Tuftonborough, Dover, Holderness, Orange and Dorchester, although the number on the respective check lists of the aforesaid towns was not found in the body of the town clerk's certificates.

Your committee are of the opinion that notwithstanding the errors above mentioned, the aforesaid members are entitled to their seats in this House."

Which report was accepted.

On the question, shall the resolution reported by said committee pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Robinson of Concord by leave, presented the account of Samuel S. Dow.

*Ordered*, That it be referred to the committee on Claims.

Mr. Robinson of Concord, by leave, presented the petition of officers of the 11th regiment of N. H. militia, praying for the removal of an officer.

*Ordered*, That it be referred to the committee on Military Affairs.

On motion of Mr. Dearborn—

The House resumed the consideration of the bill entitled "An act to incorporate the Campton Village Manufacturing Company."

On motion of Mr. Dearborn—

*Ordered*, That the bill lie on the table.

Mr. Pickering submitted the following resolution:

*Resolved*, That the use of the Representatives' Hall be granted to Mr. Alonzo Bartlett on Monday evening next for the purpose of giving a free lecture on phrenology.

On the question, shall said resolution pass?

It was decided in the negative.

So the resolution was rejected.

The House proceeded in the order of the day upon bills of the following titles, and the following resolutions, to wit:

"An act to incorporate Engine Co. No. 1 in Antrim."

"An act to repeal an act entitled an act relating to the return of votes, and making further provision for certifying the same."

"An act to incorporate the Female Seminary at Haverhill,"



"An act to raise sixty thousand dollars for the use of the State."

"An act to incorporate the Lafayette Artillery."

"An act to incorporate the People's Literary Institute and Gymnasium."

"An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

A resolution in favor of William Fiske.

A resolution in favor of Elijah Carpenter and others.

A resolution providing for the contingent expenses of the State.

A resolution authorizing the Treasurer to borrow money on the credit and for the use of the State.

Sundry resolutions upon the subject matter of the memorial of Alexander Vattermare.

Which were severally read a second time.

*Ordered*, That they be read a third time Monday afternoon at three o'clock.

The House proceeded to the order of the day upon the bill entitled "An act in addition to an act entitled an act to establish the rates at which polls and rateable estate shall be assessed in making direct taxes," approved January 4, 1833.

Which was read a second time.

Mr. Colby moved that the bill be amended by striking out the word 'fifty' in the eighth line of the first section thereof, and inserting instead thereof the words 'one hundred.'

On the question, shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

*Ordered*, That it be read a third time Monday afternoon at 3 o'clock.

The House proceeded in the order of the day upon the bill entitled "An act in addition to an act entitled an act relating to the rebuilding of Hart Island Bridge," approved July 1, 1837.

Which was read a second time.

On motion of Mr. Colby—

*Ordered*, That the bill be referred to the committee on Bills on their Second Reading.

The House proceeded in the order of the day upon the bill entitled "An act more effectually to prevent damage to the property of travellers, teamsters and other persons, by cattle and other creatures permitted to go at large,"

Which was read a second time.

On motion of Mr. Peirce of Dover—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act in addition to and in amendment of an act entitled an act to incorporate the Granite Bridge," passed June 1839.

Which was read a second time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

The House proceeded in the order of the day upon the bill entitled "An act repealing the first and second sections of an act approved July 4, 1833, entitled an act in amendment of and in addition to an act entitled an act providing for the disposition of the public money of the United States which shall be deposited with this State," approved January 13, 1837.

On motion of Mr. Peirce of Dover—

*Ordered*, That the bill lie on the table and be made the special order of the day for Tuesday next 11 o'clock in the forenoon.

On motion of Mr. Batchelder of Marlborough—

The House resumed the consideration of the report of the committee on Towns and Parishes, to whom was referred the petition of Jeremiah Herrick and William Tenney.

Mr. Batchelder of Marlborough moved that the resolution reported by said committee, which is as follows to wit:

"*Resolved*, That the petitioners have leave to withdraw their petition."

be amended by striking out all after the word '*Resolved*,' and inserting instead thereof the words following, to wit: "that the further consideration of the petition be postponed to the next session of the Legislature."

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Sawyer of Dover gave notice that he will on Monday next ask leave to introduce a bill entitled "An act relating to the competency of witnesses."

On motion—

The House adjourned.

MONDAY, JUNE 21, 1841.

Mr. Little presented the petition of William G. Hutchins, Colonel of the 32d regiment of N. H. militia, praying for the removal of an officer.

*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Bruce, from the committee on Claims, to whom was referred the accounts of Urial Dean and Joseph Towle, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That Urial Dean be allowed the sum of thirty-two dollars and ninety-seven cents, and Joseph Towle be allowed the sum of six dollars and sixty cents, in full for their several accounts to be paid out of any money in the treasury not otherwise appropriated.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

The House proceeded to the order of the day upon the following resolutions, and bills with the following titles, to wit:

A resolution in favor of William Fiske.

A resolution in favor of Elijah Carpenter and others.

A resolution providing for the contingent expenses of this State.

A resolution authorizing the Treasurer to borrow money on the credit and for the use of the State.

Sundry resolutions relating to the subject matter of the memorial of Alexander Vattermare.

"An act in addition to an act entitled an act to establish the rates at which polls and rateable estate shall be assessed in making direct taxes," approved January 4th, 1833.

"An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

"An act to repeal an act entitled an act relating to the return of votes and making further provision for certifying the same."

"An act to raise sixty thousand dollars for the use of the State."

"An act to incorporate the People's Literary Institute and Gymnasium.

"An act to alter the time of holding the annual meeting of the Congregational Society in Hampton."

"An act to incorporate the Female Seminary at Haverhill."



"An act to incorporate Engine Company No. 1, in Antrim."

"An act to incorporate the Lafayette Artillery."

Which were severally read a third time.

*Resolved*, That they pass and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Baker of Hillsborough—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of limiting the power of pardoning offences.

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the bill entitled "An act for the more speedy settlement of insolvent estates in certain cases."

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Hall of Tamworth gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to prevent vexatious suits."

The Speaker announced the appointment of Mr. Thompson of Warner as a member of the committee on Military Accounts in place of Mr. Burnham.

On motion—

The House adjourned.

## TUESDAY, JUNE 22, 1841.

Mr. Loughton presented the petition of Daniel Hill and 1260 others, citizens of the State of Maine living near the Portsmouth bridge, praying that no act be passed by this Legislature prejudicing their rights in said bridge, or which shall impair the usefulness of said bridge to said petitioners.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Curry presented the memorial of the selectmen of the town of Somersworth;

Also the memorial of the selectmen of the town of Durham and 49 others;

Also the memorial of the selectmen of the town of New Market and 68 others—remonstrating against any legislation in regard

to the obstruction of the navigation of the Piscataqua river until public notice is given to all persons and towns interested therein.

Mr. Curry called for the reading of said petitions,

Which were severally read—

*Ordered*, That they be referred to the committee on Roads, Bridges and Canals.

Mr. Robinson of Concord presented the accounts and vouchers of the Adjutant General.

Mr. Baker of Hillsborough presented the petition of H. H. Cummings and others, praying for the removal of certain officers of the 15th regiment N. H. militia;

Mr. Marsh presented the petition of the field officers of the 40th regiment;

Mr. Pitman presented the petition of Edward F. Buckman and others, officers and soldiers of the 1st company of the 42d regiment—praying for the removal of officers.

*Ordered*, That said accounts, vouchers and petitions be referred to the committee on Military Affairs.

Mr. Mooney presented the petition of William Emerson and others praying that a part of the farm of Daniel McNeal be severed from the town of Barnstead and annexed to the town of Alton.

*Ordered*, That said petition be referred to the committee on Towns and Parishes.

Mr. Bingham presented the petition of George S. Chase and 51 others, praying for legislation to promote the culture of silk.

*Ordered*, That it be referred to the committee on Agriculture and Manufactures.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor enclosing the memorial of the New York Historical Society, made a report,

Whereupon—

*Resolved*, That the message and memorial be referred to the committee on Education.

Mr. Baker of Hillsborough, from the same committee to whom was referred a resolution instructing them to inquire into the expediency of altering or amending an act entitled "An act for the preservation of highways and bridges," passed July 6, 1839, made a further report,

Whereupon—

*Resolved*, That said resolution be referred to the committee on Roads, Bridges and Canals.

Mr. Baker of Hillsborough, from the same committee, to whom was referred the bill entitled "An act in addition to and in amendment of an act relating to the organization of the courts of justice, approved Dec. 29, 1832," made a further report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Robinson of Concord, from the same committee to whom was referred the bill entitled "An act more effectually to prevent damage to the property of travellers, teamsters and other persons by cattle and other creatures permitted to go at large," made a further report,

Whereupon—

*Resolved*, That said bill be referred to the committee on Agriculture and Manufactures.

Mr. Haley, from the committee on Incorporations, to whom was referred the petition of Simon Brown and others, praying for an act incorporating the Salt Marsh and Meadow Association in Hampton, and the memorial of James Perkins, jr. remonstrating against the granting of the prayer of said petition, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Perrin from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act in addition to and in amendment of an act entitled an act to incorporate the Granite Bridge," passed June 1839, reported the same without amendment.

Mr. Ayer moved that said bill be postponed to the next session of the Legislature.

Mr. Scribner called for the reading of the bill,

Which was read.

Mr. Morrison of Manchester moved that the bill lie on the table.

And the question being put,

It was decided in the affirmative.

So the bill was laid on the table.

Mr. Parker of Fitzwilliam, from the committee on the Judiciary, to whom was referred the bill entitled "An act in addition to and in amendment of the laws now in force for the ease and relief of poor debtors," reported the same bill without amendment.

Mr. Blaisdell called for the reading of the bill,

Which was read—

On the question, shall the bill be read a third time ?

It was decided in the negative.

So the bill was rejected.



Mr. Bruce, from the committee on Claims, to whom was referred the accounts of Josiah Stevens, jr. and Samuel S. Dow, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened,* That Josiah Stevens, jr. be allowed the sum of one hundred and twenty-one dollars and forty-six cents, and that Samuel S. Dow be allowed the sum of three dollars and eighty-five cents, in full of their several accounts, to be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first time.

*Ordered,* That it be read a second time this forenoon at 11 o'clock.

Mr. Hall of Tamworth, from the committee on the Judiciary, to whom was referred the memorial of Olive Graves and another, praying for relief against the Avery Factory Company at Meredith, made a report,

Whereupon—

*Resolved,* That the petitioners have leave to withdraw their petition.

Mr. Wedgewood, from the committee on Roads, Bridges and Canals, to whom was referred the report of the directors of the Granite Bridge, made a report,

Whereupon—

*Resolved,* That the report be filed in the office of the Secretary of State.

Mr. Treadwell, from the committee on the State Prison, to whom was referred so much of the message of His Excellency the Governor as relates to the State Prison, and the report of the Warden of that institution, made a report,

Which was read—

Whereupon—

*Resolved,* That so much of said report as relates to the repeal of the law making solitary confinement a part of the punishment of convicts in certain cases, and so much thereof as relates to the expediency of providing that it shall be the duty of the Warden to retain convicts in certain cases and to prevent rogues from escaping from prison by pardon, be referred to the committee on the Judiciary, with instructions to report by bill or otherwise.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

“An act relating to judicial records.”

"An act relating to the compensation of County Solicitors."

"An act for continuing all corporations three years for certain purposes."

The Senate have passed a bill with the following title, in which they ask the concurrence of the House.

"An act relating to railroads."

The House proceeded to the consideration of the foregoing bill entitled "An act relating to railroads," which came down from the Hon. Senate.

Which was read a first and second time.

On motion of Mr. Treadwell—

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Bruce from the select committee appointed to take into consideration the expediency of districting the State anew for the choice of Senators, and to whom was referred a resolution postponed from the last session of the legislature upon the same subject, reported a bill entitled "An act to divide the State into districts for the choice of Senators."

Which was read a first time.

On motion of Mr. Ayer—

*Ordered*, That the bill lie on the table, and that the Clerk be directed to procure three hundred printed copies for the use of the House.

Mr. Silsby from the committee on the Alteration of Names to whom were referred sundry petitions praying for the alteration of the names of persons therein mentioned, reported a bill entitled "An act to alter the names of certain persons."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Agreeably to a resolution of the House,

Mr. Robinson of Concord introduced a bill entitled "An act to incorporate the Concord East Village Fire Engine Company."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

On motion of Mr. Ayer—

The House resumed the consideration of the bill entitled "An act in addition to an act approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Company."

Mr. Treadwell called for the reading of the bill.

Which was read.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution in favor of Josiah Stevens Jr. and another, and the resolution in favor of Uriah Dean and another.

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at 3 o'clock.

The House proceeded in the order of the day upon the bill entitled "An act to alter the names of certain persons."

Which was read a second time.

Mr. Jones of Goffstown offered an amendment to the bill.

On motion of Mr. Haley—

*Ordered*, That the bill lie on the table.

On motion of Mr. Sawyer of Nashua—

The House resumed the consideration of the bill entitled "An act to prevent betting or wagering on elections."

The question being upon the adoption of the amendment offered by Mr. Smith of Bradford to said bill.

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Latham by leave presented the petition of R. Armington and 45 others praying for a bridge between Lyman N. H. and Barnet Vt. at or near Stevens' Island, so called.

*Ordered*, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Blaisdell gave notice that he will to-morrow ask leave to introduce a bill to divide the county of Grafton into two judicial districts, agreeably to instructions from the delegation from said county.

On motion of Mr. Morrison of Manchester—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending the laws of this State relating to the laying out and discontinuing of highways so as more effectually to protect the rights of land owners affected by the laying out or discontinuing any highway.

Mr. Stark gave notice that he will to-morrow ask leave to introduce a bill entitled "An act prescribing the times and places for holding the courts of Probate in the county of Hillsborough."

Mr. Day gave notice that he will to-morrow ask leave to introduce a bill entitled "An act changing the time of holding the court of common pleas in the county of Coos."



On motion of Mr. Morrison of Manchester—

The House resumed the consideration of the memorial of Thomas J. Laton, praying for relief against the Concord Railroad.

On motion of Mr. Morrison of Manchester—

*Ordered*, That said memorial be referred to the committee on Roads, Bridges and Canals; and that said committee have power to send for persons and papers.

Mr. Clark of Landaff gave notice that he will to-morrow ask leave to introduce a bill relating to the organization of the first Artillery Company in the thirty second regiment of N. H. Militia.

Mr. Swasey moved that the bill entitled "An act relating to Railroad Corporations" be now taken up and disposed of.

And the question being put—

Mr. Merrill called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Knight	Paine
Patten of Candia	Leavitt
Webster	Calley
Sanborn of Deerfield	Cate
Rawlins of Deerfield	Wedgewood
Ladd of Epping	Wentworth
Foss of Greenland	Burleigh of Sandwich
Batchelder of Hampstead	Hall of Tamworth
Towle of Hampton	Haley
Pickering	Beacham
Currier	Wiggin of Ossipee
Batchelder of North Hampton	Thompson of Wolfborough
Hoitt of Northwood	Thurston
Crawford	Marden
Robinson of Poplin	Morgan
Laighton	Sanborn of Canterbury
Treadwell	Bailey of Chichester
Brown of Raymond	Wiggin of Epsom
Garland	Marsh
Thompson of Salem	Wilson
Palmer	Knowlton
Fifield	Doe
Allen of Lee	George of Salisbury
Young of Barnstead	Langley
Rollins of Barnstead	Davis of Antrim

Chandler	Rogers
Goodale	Lang
Stevens of Goffstown	Wilcomb
Jones of Goffstown	Prescott
Peavey	Sanborn of Campton
Baker of Hillsborough	Blodgett of Canaan
Farley	Page of Benton
Cross	Rand
Bixby of Litchfield	Blodgett of Dorchester
Boardman of Lyndeborough	Wallace of Franconia
McMillen	Swasey
Gibson of Pelham	Ferrin
Colby	Weeks of Hill
Whittemore	Clark
Swett	Savage
Parker of Fitzwilliam	Perrin
Bill	McGrath
Mack	Evans
Weeks of Richmond	Goodwin
Copeland	Glines
Whitcomb	Ballou
Willey	Haines
Moulton	Young of Stewartstown
Goldthwait	Day
Glidden	Cole

Those who voted in the negative are—Messrs.

Noyes	Townsend
Brown of Chester	Christie
Taylor	Jones of Farmington
Porter	Ricker
Odlin	Buzzell of Middleton
Blake	Varney
Thayer	Locke of New Durham
Boyd	Torr
Vennard	Perkins
Stickney	Foss of Strafford
George of Plaistow	Morrill of Somersworth
Waldron	Griffin
Wiggin of Portsmouth	McDuffie
Dennett	Mooney
Morrison of Windham	Bordman of Gilford
Clough of Barrington	Robinson of Gilford
Sawyer of Dover	Wight
Pierce of Dover	

Tebbetts  
 Young of Meredith  
 Ela  
 Norris  
 Curry  
 Morrison of Sanbornton  
 Harmon  
 Scribner  
 Price  
 Morrill of Boseawen  
 Smith of Bradford  
 Shute  
 Carter  
 Robinson of Concord  
 Hoit of Concord  
 Gutterson  
 Burley of Franklin  
 Ayer  
 Clough of Loudon  
 Gibson of Newbury  
 Flanders  
 Hoit of Northfield  
 Page of Sutton  
 Pattee  
 Thompson of Warner  
 Wallace of Amherst  
 Bailey of Brookline  
 Bixby of Francetown  
 Patten of Hancock  
 Pierce of Hillsborough  
 Morrison of Manchester  
 Stark  
 Stevens of Mason  
 McGaw  
 Putnam  
 Bruce  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth  
 Steele  
 Ames  
 Barnes

Kingsbury of Temple  
 Woodbury  
 Kingsbury of Alstead  
 Hamilton  
 Coolidge  
 Mason of Dublin  
 Felt  
 Davis of Keene  
 Batchelder of Marlborough  
 Osgood  
 Converse  
 Rawson  
 Mason of Sullivan  
 Abbott  
 Baker of Troy  
 Tudor  
 Morse  
 Butterfield  
 Humphrey  
 Silsby  
 Hamlin  
 Bingham  
 Cotton  
 Grannis  
 Breck  
 Hall of Croydon  
 Prentiss  
 Cutler  
 Adams of Springfield  
 Jones of Washington  
 Locke of Alexandria  
 Moore  
 Merrill  
 Adams of Grafton  
 Blaisdell  
 Ladd of Holderness  
 Allen of Lebanon  
 Lathrop  
 Parker of Littleton  
 Brackett  
 Stevens of Lyman  
 Latham  
 Buzzell of Ellsworth  
 Dearborn



Whidden  
Little  
Pitman  
Johnson

Emerton  
Emery  
Low  
Wheeler of Milan

Ayes 100. Noes 131.

So the motion that the House resume the consideration of said bill did not prevail.

On motion of Mr. Sawyer of Nashua—

The House resumed the consideration of the bill entitled "An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation."

Mr. Haley moved that the bill be indefinitely postponed,

And upon said motion called for the ayes and noes.

Mr. Robinson of Concord moved that the bill lie on the table.

And the question being put,

It was decided in the negative.

The question recurring upon the motion that said bill be indefinitely postponed.

Before the question was taken,

On motion of Mr. Tudor—

The House adjourned.

#### AFTERNOON.

The House proceeded in the order of the day upon the bill entitled "An act for the more speedy settlement of insolvent estates in certain cases."

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House resumed the consideration of the unfinished business of the forenoon, upon the bill entitled "An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation."

The question being put upon the motion that said bill be indefinitely postponed,

And the ayes and noes having been called for—

Those who voted in the affirmative are—Messrs.

Webster	Moore
Robinson of Poplin	Sanborn of Campton
Brown of Raymond	Blodgett of Canaan
Paine	Rand
Bordman of Gilford	Blodgett of Dorchester
Robinson of Gilford	Merrill
Eastman	Wallace of Franconia
Young of Meredith	Adams of Grafton
Norris	Ferrin
Curry	Clark
Wedgewood	Savage
Hall of Tamworth	Parker of Littleton
Daley	Stevens of Lyman
Beacham	McGrath
Smith of Bradford	Buzzell of Ellsworth
Sanborn of Canterbury	Evans
Hoit of Concord	Dearborn
Wiggin of Epsom	Goodwin
Burley of Franklin	Whidden
Marsh	Little
Gibson of Newbury	Pitman
Gibson of Pelham	Johnson
Copeland	Ballou
Mason of Sullivan	Haines
Baker of Troy	Emery
Silsby	Low
Adams of Springfield	Young of Stewartstown
Glidden	Day
Lang	Cole
Prescott	

Those who voted in the negative are—Messrs.

Knight	Odlin
Noyes	Foss of Greenland
Brown of Chester	Batchelder of Hampstead
Sanborn of Deerfield	Towle of Hampton
Rawlings of Deerfield	Blake
Taylor	Thayer
Porter	Boyd
Ladd of Epping	Stickney

Currier	Cate
Batchelder of North Hampton	Harmon
Hoit of Northwood	Wentworth
Crawford	Burleigh of Sandwich
George of Plaistow	Wiggin of Ossipee
Waldron	Thompson of Wolfborough
Wiggin of Portsmouth	Thurston
Laighton	Marden
Dennett	Scribner
Treadwell	Price
Garland	Morrill of Boscawen
Thompson of Salem	Morgan
Brown of Seabrook	Bailey of Chichester
Palmer	Shute
Fifield	Carter
Morrison of Windham	Robinson of Concord
Clough of Barrington	Gutterson
Sawyer of Dover	Ayer
Peirce of Dover	Wilson
Townsend	Flanders
Christie	Hoyt of Northfield
Jones of Farmington	Doe
Allen of Lee	George of Salisbury
Ricker	Page of Sutton
Buzzell of Middleton	Pattee
Varney	Thompson of Warner
Locke of New Durham	Langley
Witham	Wallace of Amherst
Torr	Davis of Antrim
Perkins	Bailey of Brookline
Foss of Strafford	Goodale
Morrill of Somersworth	Bixby of Francestown
Griffin	Stevens of Goffstown
McDuffie	Jones of Goffstown
Mooney	Peavey
Young of Barnstead	Patten of Hancock
Rollins of Barnstead	Baker of Hillsborough
Leavitt	Pierce of Hillsborough
Wight	Farley
Tebbets	Cross
Ela	Bixby of Litchfield
Calley	Bordman of Lyndeboroug
Morrison of Sanbornton	Morrison of Manchester



Stark	Weeks of Richmond
Stevens of Mason	Converse
McGaw	Rawson
Putnam	Whitcomb
Bruce	Tudor
Sawyer of Nashua	Morse
Spalding	Butterfield
Beard	Humphrey
Baldwin	Hamlin
Ainsworth	Bingham
McMillen	Cotton
Steele	Breck
Ames	Hall of Croydon
Barnes	Moulton
Kingsbury of Temple	Prentiss
Woodbury	Goldthwait
Colby	Cutler
Whittemore	Jones of Washington
Swett	Rogers
Hamilton	Locke of Alexandria
Cooledge	Blaisdell
Mason of Dublin	Swasey
Parker of Fitzwilliam	Weeks of Hill
Bill	Ladd of Holderness
Felt	Allen of Lebanon
Wheeler of Keene	Lathrop
Davis of Keene	Brackett
Batchelder of Marlborough	Glines
Mack	Emerton
Osgood	Green

Ayes 59. Noes 160.

So the motion to postpone said bill indefinitely did not prevail.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Sawyer of Nashua gave notice that he will to-morrow ask leave to introduce a bill to repeal the first and third section of the act passed June 20, 1840, entitled 'An act relating to railroad and other corporations,' the act passed December 23, 1840, entitled 'An act in addition to and explanatory of an act relating to railroad and other corporations, passed June 20, 1840,' and the act passed Dec. 23, 1840, entitled 'An act relating to railroad corporations, and to provide further remedies for owners of land over which any railroad may pass.'

On motion of Mr. Baker of Hillsborough—

*Resolved*, That the Secretary of State be directed to communicate to this House a copy of the record of the pardons which have been granted since June 22, 1838, embracing all on record between that date and June 22, 1841, with the resolutions and advice of the Council therein.

Pursuant to previous notice and by leave,

Mr. Waldron introduced a bill entitled "An act in addition to an act approved June 28, A. D. 1821, entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the President, Directors and Company of the New Hampshire Union Bank, approved June 18, 1802."

Which was read a first and second time.

On motion of Mr. Waldron—

*Ordered*, That it be referred to the committee on Banks.

Pursuant to previous notice and by leave,

Mr. Hall of Tamworth introduced a bill entitled "An act to prevent vexatious suits."

Which was read a first and second time.

On motion of Mr. Hall of Tamworth—

*Ordered*, That it be referred to the committee on the Judiciary.

On motion of Mr. Treadwell—

The House proceeded to the special order of the day upon the bill entitled "An act repealing the first and second sections of an act approved July 4, 1833, entitled an act in amendment of and in addition to an act entitled an act providing for the disposition of the public money of the United States which shall be deposited with this State," approved January 13, 1837.

Mr. Bordman of Gilford moved that the bill be recommitted to the select committee who reported said bill.

And the question being put,

It was decided in the negative.

Mr. Loughton offered an amendment to the bill.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Loughton offered a further amendment to the bill.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Young of Meredjth submitted the following preamble and resolution:

Whereas the several Judges and Registers of Probate in this State are paid out of the State treasury, the whole people being taxed equally for the payment thereof, the amount so paid to each of said Judges and Registers ought to be equal and in proportion to the proportion and valuation of property, in their respective counties,—therefore

*Resolved*, That the committee on the Judiciary be instructed to inquire into and equalize the amount paid to the several Judges and Registers of Probate in this State according to the population and valuation of the respective counties, and report by bill or otherwise.

Mr. Baker of Hillsborough moved that the resolution be amended by striking out the words "committee on the Judiciary" and inserting instead thereof the words "select committee who have that subject under consideration."

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So said amendment was adopted.

On the question, shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

On motion of Mr. Baker of Hillsborough—

The House proceeded to the special order of the day upon the bill entitled "An act to secure the public against the frauds of Banking Institutions."

The question being upon the third reading of said bill.

Before the question was taken—

On motion of Mr. Leighton—

The House adjourned.

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WEDNESDAY, JUNE 23, 1841.

On motion of Mr. Tudor—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Sanborn of Deerfield presented the petition of Theodore F. Rowe praying for the removal of an officer in the 1st company of Artillery in the 1st Regiment N. H. Militia.



*Ordered*, That it be referred to the committee on Military Affairs.

Mr. Robinson of Concord presented the account of Currier & Hall.

*Ordered*, That it be referred to the committee on Claims.

Mr. Young of Meredith from the committee on Military Affairs to whom was referred the petition of Paul Burnham and others, praying for an act of incorporation of a band of martial music, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Bingham from the committee on Roads, Bridges and Canals to whom was referred the petition of R. Armington and others, praying for a bridge between the town of Lyman in this State and the town of Barnet in the State of Vermont, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the first Tuesday of the next session of the legislature and that the petitioners cause all persons interested in the same to be notified of said time and place of hearing by publishing said petition with this order thereon in some newspaper printed at Lancaster in this State and some newspaper printed at Danville in the State of Vermont three weeks successively, the last publication to be three months prior to said day of hearing.

Mr. Doe from the committee on Military Affairs to whom were referred the accounts and vouchers of the Adjutant General, made a report.

Whereupon—

*Resolved*, That said account and vouchers be referred to the committee on Military Accounts.

Mr. Robinson of Poplin from the same committee to whom was recommitted the petition of the officers of the 39th regiment praying for the removal of an officer made a farther report.

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Currier from the committee on Bills on their Second Reading, to whom was referred a bill entitled "An act changing the place of holding one of the terms of the Court of Common Pleas in the County of Strafford," reported the same bill with two several amendments.

On the question, shall the first of said amendments be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the second of said amendments be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

Mr. Chandler from the committee on Roads, Bridges and Canals, to whom was referred the petition of Albert Pitkin and others, praying for the incorporation of a turnpike through Dixville and Millsfield, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Brown of Chester from the committee on Towns and Parishes to whom was referred the petition of Nathaniel Perkins and others praying for the taxation of the non-resident proprietors or owners of unsettled lands in the town of Pittsburg and to define the lines of said town, reported the following preamble and resolution.

Whereas the northerly and westerly lines of the town of Pittsburg being the boundary lines between said Pittsburg and Canada were not defined by the act incorporating said town, and whereas doubts and uncertainties have arisen as to the extent of the jurisdiction of said town, on those sides of the town bordering upon Canada—therefore

*Be it resolved by the Senate and House of Representatives in General Court convened*, That the northerly and westerly lines of said town of Pittsburg shall be considered to be the lines described by the treaty of 1783, made between the government of the United States and the government of Great Britain and the same which have been run out and marked by the authority of the State of New-Hampshire as and for the lines described in said treaty.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Swasey from the committee on the Judiciary who were instructed to inquire into the expediency of amending the laws of this State relating to the laying out and discontinuing of highways so as more effectually to protect the rights of land owners affected by the laying out or discontinuing any highway, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate further upon the subject.

Mr. Hall of Tamworth from the same committee to whom was referred the bill entitled "An act to prevent vexatious suits," reported the following resolution:

*Resolved*, That said bill be indefinitely postponed.

On motion of Mr. Hall of Tamworth—

*Ordered*, That said report lie on the table.

Mr. Patten of Hancock from the committee on Military Affairs to whom was referred the account of John F. Holt, made a further report,

Whereupon—

*Resolved*, That said account be referred to the committee on Military Accounts.

Mr. Bingham, from the committee on Roads, Bridges and Canals, to whom was referred the petition of Robert Harvey and others, praying for a bridge across Connecticut river between the towns of Lyman and Barnet, made a further report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the petition of A. P. Gould and others, praying for an additional officer in the third company of riflemen in the thirteenth regiment, reported a bill entitled "An act in favor of light infantry, rifle and grenadier companies in this State."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Glidden, from the committee on Military Accounts, to whom were referred the accounts of Theodore F. Rowe, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That Theodore F. Rowe be allowed the sum of one thousand sixty dollars and eighteen cents, in full of his account for removing arms, cannon &c. from the arsenal at Portsmouth to the arsenal at Lancaster, and that he be allowed the further sum of two hundred ninety-six dollars and thirty-four cents, in full of his account for services rendered as Commissary General at the arsenal at Portsmouth, and that said sums be paid out of any money in the treasury not otherwise appropriated.

Which was read a first time.



*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Spalding, from the committee on Banks, to whom were referred the petition of Nathaniel Batchelder and others, praying for the incorporation of the Swamscot Bank, and the petition of Ambrose Cossit and others, praying for the incorporation of the Sullivan County Bank, made a report,

Whereupon—

*Resolved*, That the further consideration of said petitions be postponed to the next session of the Legislature.

Mr. Perrin, from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire," reported as a substitute therefor, a bill entitled "An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire."

Which was read a first time.

Mr. Peirce of Dover submitted the following resolution:

*Resolved*, That the further consideration of said bill be postponed to the second Wednesday of the next session of the Legislature, and that the "Eastern Railroad in New Hampshire," cause a plan of the Portsmouth Bridge, together with a plan of the addition and alterations proposed and intended, with particular specifications to be deposited in the offices of the clerks of the Courts of Common Pleas in the counties of Rockingham and Strafford by the first day of February next, and also cause a copy of the bill and this resolution to be published in one or more newspapers printed in each of the towns of Exeter, Portsmouth and Dover, six weeks successively, the last publication thereof to be at least three weeks previous to said second Wednesday of the next session.

The question recurring upon the passage of said resolution,

Before the question was taken,

On motion of Mr. Knight—

The House adjourned.

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#### AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, and the following resolutions, to wit:

"An act to prevent betting or wagering on elections."

A resolution in favor of Uriah Dean and another.

A resolution in favor of Josiah Stevens, jr. and another.

"An act in addition to an act approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Company."

Which were severally read a third time.

*Resolved*, That they pass and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act repealing the second and third sections of an act approved July 4th, 1838, entitled an act in amendment of and in addition to an act entitled an act providing for the disposition of the public money of the United States which shall be deposited with this State, approved January 13th 1837."

Which was read a third time.

On motion of Mr. Loughton—

*Ordered*, That said bill be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the bill entitled "An act to render void the settlement of paupers gained prior to 1796, and to prevent litigation."

Which was read a third time.

On the question, shall the bill pass?

The ayes and noes were called for.

Mr. Smith of Bradford being in the Chair—

Those who voted in the affirmative are—Messrs.

Knight	Blake
Patten of Candia	Thayer
Noyes	Boyd
Brown of Chester	Vennard
Sanborn of Deerfield	Pickering
Rawlins of Deerfield	Stickney
Taylor	Currier
Porter	Batchelder of North Hampton
Ladd of Epping	Hoit of Northwood
Robinson of Exeter	Crawford
Odlin	George of Plaistow
Foss of Greenland	Waldron
Batchelder of Hampstead	Wiggin of Portsmouth
Towle of Hampton	Loughton
Sanborn of Hampton Falls	Dennett

Treadwell  
 Garland  
 Thompson of Salem  
 Brown of Seabrook  
 Palmer  
 Fifield  
 Morrison of Windham  
 Clough of Barrington  
 Sawyer of Dover  
 Peirce of Dover  
 Townsend  
 Christie  
 Jones of Farmington  
 Allen of Lee  
 Ricker  
 Buzzell of Middleton  
 Varney  
 Locke of New Durham  
 Witham  
 Torr  
 Perkins  
 Foss of Strafford  
 Morrill of Somersworth  
 Griffin  
 McDuffie  
 Mooney  
 Young of Barnstead  
 Rollins of Barnstead  
 Leavitt  
 Wight  
 Tebbetts  
 Young of Meredith  
 Ela  
 Calley  
 Morrison of Sanbornton  
 Harmon  
 Wentworth  
 Thompson of Wolfborough  
 Marden  
 Morrill of Boscawen  
 Morgan  
 Bailey of Chichester  
 Shute  
 Robinson of Concord

Gutterson  
 Ayer  
 Wilson  
 Knowlton  
 Clough of Loudon  
 Flanders  
 George of Salisbury  
 Page of Sutton  
 Wallace of Amherst  
 Davis of Antrim  
 Chandler  
 Goodale  
 Bixby of Francestown  
 Stevens of Goffstown  
 Jones of Goffstown  
 Peavey  
 Patten of Hancock  
 Baker of Hillsborough  
 Pierce of Hillsborough  
 Farley  
 Cross  
 Bixby of Litchfield  
 Boardman of Lyndeborough  
 Morrison of Manchester  
 Stark  
 Stevens of Mason  
 McGaw  
 Putnam  
 Bruce  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth  
 McMillen  
 Steele  
 Woodbury  
 Colby  
 Whittemore  
 Hamilton  
 Coolidge  
 Mason of Dublin  
 Parker of Fitzwilliam  
 Bill



Felt	Hall of Croyden
Wheeler of Keene	Willey
Davis of Keene	Moulton
Batchelder of Marlborough	Prentiss
Mack	Goldthwait
Osgood	Cutler
Converse	Jones of Washington
Tudor	Rogers
Morse	Locke of Alexandria
Butterfield	Blaisdell
Hamlin	Swasey
Bingham	Weeks of Hill
Cotton	Ladd of Holderness
Grannis	Perrin
Breck	

Those who voted in the negative are—Messrs.

Webster	Thompson of Warner
Robinson of Poplin	Langley
Brown of Raymond	Bailey of Brookline
Paine	Gibson of Pelham
Bordman of Gilford	Ames
Robinson of Gilford	Barnes
Eastman	Kingsbury of Temple
Norris	Swett
Curry	Kingsbury of Alstead
Wedgewood	Weeks of Richmond
Burleigh of Sandwich	Rawson
Hall of Tamworth	Copeland
Haley	Mason of Sullivan
Beacham	Abbott
Wiggin of Ossipee	Whitcomb
Thurston	Baker of Troy
Scribner	Humphrey
Price	Silsby
Sanborn of Canterbury	Adams of Springfield
Carter	Glidden
Hoit of Concord	Lang
Wiggin of Epsom	Wilcomb
Burley of Franklin	Prescott
Marsh	Moore
Gibson of Newbury	Sanborn of Campton
Hoit of Northfield	Blodgett of Canaan
Pattee	Page of Benton

Rand	Whidden
Blodgett of Dorchester	Little
Merrill	Peabody
Wallace of Franconia	Pitman
Adams of Grafton	Glines
Smith of Haverhill	Johnson
Ferris	Ballou
Clark	Haines
Savage	Emery
Brackett	Low
Stevens of Lyman	Wells
McGrath	Wheeler of Milan
Buzzell of Ellsworth	Green
Evans	Young of Stewartstown
Dearborn	Day
Goodwin	Cole

Mr. Baker of Hillsborough raised a question of order, which was, whether the Speaker, Mr. Wells, having substituted another member to perform the duties of the Chair at the time this question was taken, could vote upon said question.

The Chair having decided that he could—

The vote was then announced by the Chair.

Ayes 147. Noes 85.

So the bill passed.

*Resolved*, That its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor enclosing drafts of certain bills furnished by the committee appointed to revise the statutes, made a report,

Whereupon—

On motion of Mr. Porter—

*Resolved*, That said report be recommitted to the same committee.

Mr. Wright, from the joint committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed, bills of the following titles, and the following resolution, to wit:

“An act to provide for the collection of taxes in certain cases.”

“An act to repeal the second section of an act entitled an act to encourage the manufacture of leather, and prevent frauds therein,” passed July 3, 1829.

A resolution to furnish the clerks of the counties of Belknap and Carroll with copies of New Hampshire Reports.

"An act in addition to and in amendment of an act entitled an act for the regulation and government of schools in the town of Portsmouth," approved January 13, 1837.

"An act to repeal an act allowing a certain premium for killing foxes, passed July 4, 1838 ;"

"An act to repeal an act entitled an act relating to the returns of votes and making further provision for certifying the same."

"An act relating to the compensation of County Solicitors."

"An act relating to judicial records."

"An act for continuing all corporations three years for certain purposes."

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bordman of Gilford, from the select committee consisting of the delegation from the counties of Belknap and Carroll, to whom was referred the bill entitled "An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll," reported the same bill with an amendment.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Smith of Bradford gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to incorporate the New Hampshire Farmers' Mutual Fire Insurance Company."

Mr. Colby gave notice that he will to-morrow ask leave to introduce a bill entitled "An act for the punishment of idle and disorderly persons and for the support and maintenance of the poor, passed Dec. 16, 1828."

Mr. Sanborn of Deerfield gave notice that he will to-morrow ask leave to introduce a bill to provide for the appointment of additional officers of the Portsmouth Artillery company in the first regiment, first brigade and first division of the militia in this State.

Mr. Stevens of Mason gave notice that he will to-morrow ask leave to introduce a bill entitled "An an act to incorporate Engine Company No. 1 in Mason Village."

Mr. Young of Meredith gave notice that he will to-morrow ask leave to introduce a bill to incorporate the Female Charitable Society in Concord."

On motion—

The House adjourned.



## THURSDAY, JUNE 24, 1841.

• On motion of Mr. Treadwell—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Porter, from the committee on Banks, to whom were referred the returns of the several banks in this State, made a report

Which was read—

On motion of Mr. Spalding—

*Ordered*, That said report lie on the table, and that the Clerk be directed to procure three hundred printed copies for the use of the House.

Mr. Ayer, from the committee on Finance, reported a bill entitled "An act providing for the compensation of the officers of the civil list."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the petition of sundry officers of the 4th regiment of N. H. militia, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the bill entitled "An act the more effectually to promote the cause of education," reported the same in a new draft,

Which was read a first time.

On the question, shall the bill be read a second time?

The ayes and noes were called for.

But before the question was taken,

On motion of Mr. Treadwell—

*Ordered*, That the bill lie on the table.

Mr. Stevens of Goffstown, from the committee on Towns and Parishes, to whom was referred the petition of the selectmen of the town of Orange, praying that a part of the town of Canaan be disannexed therefrom and annexed to the town of Orange, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Hoyt of Northfield, from the committee on Education, to

whom was referred the petition of Abraham H. Chandler and others, praying to be severed from the town of Haverhill and annexed to the town of Bath for the purpose of schooling, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Colby, from the committee on Agriculture and Manufactures, to whom were referred the petition of James Chandler and others, the petition of Levi Jenison and others, and the petition of George R. Lathe and others, praying for encouragement to the silk growers, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Townsend, from the committee on Military Affairs, to whom was referred the petition of Joseph Montgomery and others, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the bill entitled "An act more effectually to define, detect and punish nocturnal depredators," made a further report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Baker of Hillsborough, from the same committee to whom was referred the bill entitled "An act to prevent wilful and malicious trespass," made a further report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Parker of Fitzwilliam from the same committee, to whom was referred the bill entitled "An act repealing the first and second sections of an act approved July 4, 1833, entitled an act in amendment of and in addition to an act entitled an act providing for the disposition of the public money of the United States, which shall be deposited with this State," approved January 13, 1837, reported as a substitute therefor a bill entitled "An act relating to the public money deposited with the several towns in this State."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Baker of Hillsborough, from the same committee, to

whom was referred the message of His Excellency the Governor enclosing drafts of certain bills presented by the committee appointed to revise the statutes, reported three several bills, with the following titles, to wit:

“An act providing further remedies against fraudulent debtors.”

“An act for the punishment of frauds.”

“An act making further provision in relation to the trustees of debtors.”

The House proceeded to the consideration of the first of said bills entitled “An act providing further remedies against fraudulent debtors.”

Which was read a first time.

Mr. Haley submitted the following resolution:

*Resolved*, That the bill be postponed to the next session of the Legislature, and that the Clerk cause the same to be published: some one or more newspapers in each county in the State, three weeks successively, the last publication whereof to be at least six weeks before the first day of the next session of the Legislature.

Mr. Griffin moved that the resolution be amended by striking out the words “some one or more” before the word “newspapers” and inserting instead thereof, the word “two.”

On the question, shall the amendment to the resolution adopted?

It was decided in the negative.

So the amendment was rejected.

And on the question, shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

The bill was then read a second time.

Mr. Peirce of Dover offered an amendment to the bill.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Baker of Hillsborough moved that the bill be further amended by inserting before the word “cents” in the fifth line of the twentieth section thereof, the word “ten.”

And on the question, shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Morrison of Manchester moved that the bill be amended by inserting before the word “cents” in the fifth line of the twentieth section thereof, the word “five.”

And the question being put—



Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Robinson of Concord moved that the bill lie on the table.

And the question being put,

It was decided in the negative.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

The House proceeded to the consideration of the second of said bills, entitled "An act for the punishment of frauds."

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded to the consideration of the third of said bills entitled "An act making further provision in relation to the trustees of debtors."

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Currier from the committee on Bills on their Second Reading, to whom was referred the bill entitled "An act in addition to an act entitled an act relating to the rebuilding of Hart's Island Bridge, and approved July 1, 1837," reported the same bill with an amendment.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Morrison of Manchester, from the committee on the Judiciary who were instructed to inquire into the expediency of requiring the Adjutant General to give bonds for the faithful discharge of the duties of his office, reported a bill entitled "An act requiring a bond of the Adjutant General."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Patten of Hancock, from the committee on Military Affairs to whom was referred the petition of Benjamin F. Phelps, praying for a new piece of ordnance for the company of Artillery in the 28th regiment, made a further report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Bingham from the committee on Roads, Bridges and Canals who were instructed to inquire into the expediency of altering or amending "An act for the preservation of highways and bridges," reported a bill entitled "An act in addition to an act entitled an act for the preservation of highways and bridges passed July 6, 1839."

Which were read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Thompson of Warner from the committee on Military Accounts to whom was referred the account of Robert Davis, late Quarter Master General, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That Robert Davis, late Quarter Master General, pay and is hereby directed to pay the sum of ninety-five dollars and sixty cents and interest from June 1840 to the Treasurer of this State, and said Treasurer is directed to give a receipt for the same.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Weeks of Richmond from the committee on Towns and Parishes to whom was referred the petition of William Emerson and others praying that a part of the farm of Daniel McNeal be severed from the town of Barnstead and annexed to the town of Alton, made a report,

Whereupon—

*Resolved*, That said petition be postponed to the next session of the legislature, and that said petitioners cause said Daniel McNeal to be notified of the same on or before the first day of February next.

Mr. Thompson of Salem, from the committee on Unfinished Business, made a report,

Whereupon—

*Resolved*, That the bill entitled "An act to incorporate the Amoskeag Railroad in New Hampshire, be referred to the committee on Roads, Bridges and Canals.

Mr. Thompson of Salem from the same committee made a further report,

Whereupon—

*Resolved*, That the memorial of Edward Tredick and 175 others; the memorial of Jonathan Young and 6 others; the memorial of John Haynes and 21 others; the memorial of John Allen and 36 others; the memorial of Jonathan G. Jordan and 19 oth-

ers; the memorial of Samuel Glines and 29 others; the memorial of Joshua Roberts and 21 others; the memorial of Horace Lyman and 16 others; the memorial of Calvin Russell and 13 others; the memorial of Thomas Sabine and 24 others; the memorial of Ira Haskell and 11 others; the memorial of Mark Jewett and 56 others; the memorial of Abner Sanger and 49 others; the memorial of John Cilley and 82 others; the memorial of Freeman Clark and 21 others; the memorial of Dudley Smith and 18 others, members of the Rockingham Mutual Fire Insurance Company, remonstrating against the repeal of so much of the act of June 26, 1838 as authorizes the members of said company to vote by proxy, be referred to the committee on Incorporations.

Mr. Ela from the committee on Towns and Parishes to whom was referred the petition of William Horne and others praying that a portion of territory be severed from the towns of New Durham and Alton and annexed to the town of Wolfeborough reported a bill entitled "An act to sever a certain tract of land lying partly in the county of Strafford and partly in the county of Belknap from the towns of New Durham and Alton and from the counties of Strafford and Belknap and annex the same to the town of Wolfborough and the county of Carroll."

Which was read a first and second time.

On motion of Mr. Bordman of Gilford—

*Ordered*, That the bill lie on the table.

Mr. Chandler from the select committee to whom was referred the memorial of Joshua Leavitt, setting forth the importance of an equitable and adequate market for American wheat, accompanied with statistical tables, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Ayer from the select committee consisting of the delegation from the county of Merrimack to whom was referred the bill entitled "An act to change the place of holding one of the terms of the court of common pleas in the county of Merriack," made a report,

Whereupon—

*Resolved*, That said bill be indefinitely postponed.

Mr. Curry from the select committee consisting of the delegation from the counties of Belknap and Carroll to whom was referred the bill entitled "An act to prevent the destruction of fish in Winnepisseogee lake, and the bays of Winnepisseogee river," reported the same bill without amendment.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.



The following message in writing was received from his Excellency the Governor by the Secretary of State, which was read and is as follows:

*"To the Hon. Senate  
and House of Representatives:*

I herewith transmit the Adjutant General's annual return of the militia of New Hampshire together with the Commissary General's and Quarter Master General's return. JOHN PAGE.

*Executive Department, }  
June 16, 1841." }*

On motion—

*Ordered,* That the message of His Excellency with the accompanying documents be referred to the committee on Military Affairs.

Mr. Ayer moved that the rules of the House be so far suspended that the resolution changing the hour to which the House shall from day to day adjourn, be now taken up and disposed of.

And the question being put,

It was decided in the negative.

So the House refused to suspend the rules.

The Speaker laid before the House an abstract from the Council records, showing the number of convicts who have been pardoned by the Executive from June 22, 1838 to June 22, 1841, with the date of their conviction, their offence, term of imprisonment and date of pardon, which had been communicated to the House by the Secretary of State, agreeably to a resolution of the House.

On motion of Mr. Baker of Hillsborough—

*Ordered,* That the same be referred to the committee on the Judiciary.

The Speaker laid before the House a further communication from the Secretary of State, informing the House that he had procured ten hundred printed copies of Dr. Jackson's first annual report upon the Geological and Mineralogical Survey of the State, and that the same are now subject to the order of the House.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, and the following resolutions, to wit:

"An act to incorporate the Female Seminary at Haverhill."

"An act relating to collectors of taxes."

"An act to incorporate the People's Literary Institute and Gymnasium."

A resolution appropriating seventeen hundred dollars for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford, and eight hundred dollars for the education of indigent blind and partially blind persons of this State at the institution for the blind at Boston.

A resolution authorizing the Treasurer to borrow money on the credit and for the use of the State.

A resolution appropriating five hundred dollars for the contingent expenses of this State.

The Senate have passed a bill with the following title, in which they ask the concurrence of the House, to wit :

"An act relating to the choice of prudential school committees."

The Senate concur with the House of Representatives in the passage of a bill entitled 'An act to incorporate Engine Company No. 1, in Antrim,' with an amendment in which they ask the concurrence of the House."

The House proceeded to the consideration of the bill entitled "An act relating to the choice of prudential school committees," which came down from the Hon. Senate.

Which was read a first time.

*Ordered*, That the bill be read a second time to-morrow forenoon at eleven o'clock.

The House proceeded to the consideration of the bill entitled "An act to incorporate Engine Company No. 1, in Antrim," with the amendment which came down from the Hon. Senate.

The question being upon concurring in said amendment,

It was decided in the affirmative.

So the House concurred in said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the consideration of the unfinished business of the forenoon upon the bill entitled "An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire."

The question being upon the motion of Mr. Peirce of Dover that the further consideration of said bill be postponed to the 2d Wednesday of the next session of the Legislature, and that the Eastern Railroad in New Hampshire cause a plan of the Portsmouth bridge, together with a plan of the additions and alterations proposed and intended, with particular specifications, to be deposited in the offices of the Clerks of the Courts of Common Pleas in the counties of Rockingham and Strafford, by the first day of February next; and also cause a copy of the bill and this

resolution to be published in one or more newspapers printed in each of the towns of Exeter, Portsmouth and Dover, six weeks successively, the last publication thereof to be at least three months prior to said second Wednesday of the next session.

Mr. Peirce of Dover called for the reading of the memorial of 1261 citizens of Maine and other persons, living near the Portsmouth bridge, remonstrating against any legislative enactment which may impair their rights in said bridge or impair its usefulness to said petitioners.

Which was read.

But before the question was taken,

Mr. Pierce of Dover withdrew said motion.

The bill was then read a second time.

Mr. Loughton offered an amendment to the bill, which was by adding a section—

The question being upon the adoption of said amendment,

Mr. Sawyer of Dover moved that the bill lie on the table.

But before the question was taken,

Mr. Sawyer of Dover withdrew his motion.

Mr. Sawyer of Nashua moved that the bill lie on the table.

But before the question was taken,

Mr. Sawyer of Nashua withdrew said motion.

On motion of Mr. Treadwell—

The House adjourned.

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#### AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, to wit:

“An act changing the place of holding one of the terms of the Court of Common Pleas in the county of Strafford.”

“An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll.”

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House resumed the consideration of the unfinished business of the forenoon, upon the bill entitled “An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire.”



The question being upon the adoption of the amendment offered by Mr. Laighton to said bill.

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie offered a further amendment to said bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie offered a further amendment to the bill.

Mr. Ayer moved an amendment to the amendment.

And the question being put,

Shall the amendment to the amendment be adopted?

It was decided in the affirmative.

So the amendment to the amendment was adopted.

And on the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie offered a further amendment to the bill, which was by striking out all after the word 'act' in the eighteenth line of the fifth section of said bill, and inserting instead thereof a new section, as follows, to wit:

SEC. 5. *Be it further enacted*, That the Legislature may at any time alter, amend or repeal this act, and also the act incorporating said Portsmouth bridge, and this act shall not take effect until assented to by said Portsmouth bridge.

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Sawyer of Nashua offered a further amendment to the bill.

Mr. Christie offered an amendment to said amendment,

Which was accepted by the mover.

On the question, shall said amendment as modified be adopted.

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That said bill be read a third time to-morrow afternoon at three o'clock.

The House resumed the consideration of the unfinished business of Tuesday last upon the bill entitled "An act to secure the public against the frauds of Banking Institutions."

The question being upon the third reading of said bill,

Mr. Blake moved that the bill be indefinitely postponed.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	McDuffie
Noyes	Mooney
Brown of Chester	Bordman of Gilsford
Taylor	Eastman
Porter	Young of Meredith
Robinson of Exeter	Ela
Odlin	Norris
Sanborn of Hampton Falls	Curry
Blake	Morrison of Sanbornton
Thayer	Parrish
Boyd	Harmon
Stickney	Wedgewood
Waldron	Wentworth
Wiggin of Portsmouth	Thompson of Wolfborough
Thompson of Salem	Price
Brown of Seabrook	Morrill of Boscawen
Morrison of Windham	Shute
Clough of Barrington	Robinson of Concord
Sawyer of Dover	Burley of Franklin
Peirce of Dover	Ayer
Townsend	Clough of Loudon
Christie	Flanders
Ricker	Hoyt of Northfield
Buzzell of Middleton	Wallace of Amherst
Varney	Bixby of Frankestown
Locke of New Durham	McGaw
Witham	Putnam
Torr	Sawyer of Nashua
Foss of Strafford	Spaulding
Morrill of Somersworth	Beard
Griffin	Baldwin

Ainsworth	Butterfield
Steele	Humphrey
Ames	Hamlin
Kingsbury of Alstead	Bingham
Hamilton	Cotton
Coolidge	Grannis
Mason of Dublin	Breck
Parker of Fitzwilliam	Hall of Croyden
Felt	Goldthwaite
Wheeler of Keene	Cutler
Davis of Keene	Moore
Batchelder of Marlborough	Blaisdell
Osgood	Ladd of Holderness
Converse	Allen of Lebanon
Rawson	Lathrop
Mason of Sullivan	Parker of Littleton
Baker of Troy	Brackett
Tudor	Latham
Morse	

Those who voted in the negative are—Messrs.

Knight	Perkins
Patten of Candia	Young of Barnstead
Webster	Paine
Sanborn of Deerfield	Robinson of Gifford
Rawlins of Deerfield	Leavitt
Ladd of Epping	Tebbetts
Foss of Greenland	Calley
Batchelder of Hampstead	Cate
Towle of Hampton	Towle of Freedom
Vennard	Burleigh of Sandwich
Pickering	Haley
Currier	Beacham
Batchelder of North Hampton	Wiggin of Ossipee
Hoyt of Northwood	Thurston
Crawford	Marden
George of Plaistow	Scribner
Robinson of Poplin	Morgan
Laighton	Smith of Bradford
Treadwell	Bailey of Chichester
Brown of Raymond	Carter
Garland	Holt of Concord
Palmer	Guterson
Fifield	Wiggin of Epson
Allen of Lee	Marsh



Wilson	Adams of Springfield
Knowlton	Glidden
Gibson of Newbury	Jones of Washington
Doe	Rogers
George of Salisbury	Locke of Alexandria
Page of Sutton	Lang
Pattee	Wilcomb
Thompson of Warner	Prescott
Langley	Sanborn of Campton
Davis of Antrim	Blodgett of Canaan
Chandler	Page of Benton
Bailey of Brookline	Rand
Goodale	Blodgett of Dorchester
Stevens of Goffstown	Merrill
Jones of Goffstown	Wallace of Franconia
Peavey	Cheney
Patten of Hancock	Swasey
Baker of Hillsborough	Smith of Haverhill
Pierce of Hillsborough	Weeks of Hill
Farley	Clark
Cross	Savage
Bixby of Litchfield	Stevens of Lyman
Boardman of Lyndeborough	Perrin
Morrison of Manchester	McGrath
Stark	Buzzell of Ellsworth
Bruce	Evans
McMillen	Dearborn
Gibson of Pelham	Goodwin
Barnes	Whidden
Kingsbury of Temple	Little
Woodbury	Peabody
Colby	Pitman
Whittemore	Glines
Swett	Johnson
Bill	Emerton
Mack	Ballou
Weeks of Richmond	Haines
Copeland	Emery
Whitcomb	Low
Silsby	Green
Willey	Young of Stewartstown
Moulton	Day
Prentiss	Cole

So the motion that said bill be indefinitely postponed did not prevail.

Mr. Wheeler of Milan gave notice that he will to-morrow ask leave to introduce a bill entitled "An act in addition to an act entitled an act for the ease and relief of poor debtors," passed January 3, 1829.

Mr. Robinson of Concord gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to incorporate the Concord Volunteers."

On motion of Mr. Baker of Hillsborough—  
The House adjourned.

FRIDAY, JUNE 25, 1841.

On motion of Mr. Ayer—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Morrison of Manchester presented the petition of Isaac C. Flanders and 60 others praying for the incorporation of a Savings Bank at Manchester.

*Ordered*, That it be referred to the committee on Banks.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, and the following resolutions, to wit:

"An act to incorporate the New Boston Fire Insurance Company."

"An act to alter the time of holding the annual meetings of the Congregational Society in Hampton."

Sundry resolutions relating to the subject matter of the memorial of Alexander Vattermare.

A resolution appointing William Fisk to take charge of the State House and State House yard the ensuing year.

The Senate concur with the House of Representatives in the passage of a resolution fixing upon a day when the business of the present session may be brought to a close, with an amendment, in which they ask the concurrence of the House."

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that

the House proceed to the consideration of the foregoing resolution fixing on a day on which the business of the present session may be brought to a close, with the amendment which came down from the Hon. Senate.

On the question, will the House concur in the adoption of the amendment proposed to said resolution by the Hon. Senate, which was by striking out the words "Friday the 25th" and inserting instead thereof the words "Saturday the 26th?"

Mr. Tudor moved that the amendment be amended by striking out the words "Saturday the 26th day of June instant," and inserting instead thereof the words "Thursday the first day of July next."

The question being on the adoption of said amendment, Mr. Treadwell moved that the resolution lie on the table.

And the question being put,

The ayes and noes were called for.

But before the question was taken,

Mr. Treadwell withdrew said motion.

The question recurring upon the adoption of the amendment to the amendment offered by Mr. Tudor,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Thompson of Wolfborough
Noyes	Thurston
Brown of Chester	Wiggin of Epsom
Webster	Ayer
Taylor	Wilson
Robinson of Exeter	Gibson of Newbury
Odlin	Doe
Boyd	Page of Sutton
Stickney	Wallace of Amherst
Currier	Bixby of Francestown
Dennett	Patten of Hancock
Clough of Barrington	Spalding
Peirce of Dover	Beard
Christie	Ainsworth
Ricker	McMillen
Torr	Steele
Morrill of Somersworth	Ames
Eastman	Barnes
Harmon	Kingsbury of Temple
Wiggin of Ossipee	Kingsbury of Alstead



Hamilton  
 Mason of Dublin  
 Bill  
 Felt  
 Wheeler of Keene  
 Davis of Keene  
 Batchelder of Marlborough  
 Mack  
 Converse  
 Rawson  
 Mason of Sullivan  
 Abbot  
 Baker of Troy  
 Tudor  
 Morse  
 Butterfield  
 Humphrey  
 Hamlin  
 Bingham  
 Grannis  
 Hall of Croydon  
 Moulton

Prentiss  
 Cutler  
 Adams of Springfield  
 Glidden  
 Rogers  
 Prescott  
 Merrill  
 Blaisdell  
 Allen of Lebanon  
 Lathrop  
 Parker of Littleton  
 Brackett  
 Latham  
 Perrin  
 Goodwin  
 Little  
 Pitman  
 Emery  
 Low  
 Wheeler of Milan  
 Green

Those who voted in the negative are—Messrs.

Knight	Wiggin of Portsmouth
Patten of Candia	Laighton
Sanborn of Deerfield	Treadwell
Rawlings of Deerfield	Brown of Raymond
Porter	Garland
Ladd of Epping	Thompson of Salem
Foss of Greenland	Brown of Seabrook
Batchelder of Hampstead	Palmer
Towle of Hampton	Fifield
Blake	Morrison of Windham
Thayer	Townsend
Vennard	Jones of Farmington
Pickering	Allen of Lee
Batchelder of North Hampton	Buzzell of Middleton
Hoit of Northwood	Varney
Crawford	Locke of New Durham
George of Plaistow	Witham
Robinson of Poplin	Perkins
Waldron	Foss of Strafford

Griffin  
McDuffie  
Mooney  
Young of Barnstead  
Rollins of Barnstead  
Paine  
Bordman of Gilford  
Robinson of Gilford  
Leavitt  
Wight  
Young of Meredith  
Ela  
Norris  
Calley  
Morrison of Sanbornton  
Parrish  
Cate  
Wedgewood  
Towle of Freedom  
Burleigh of Sandwich  
Haley  
Beacham  
Marden  
Scribner  
Price  
Morrill of Boscawen  
Morgan  
Smith of Bradford  
Sanborn of Canterbury  
Bailey of Chichester  
Shute  
Carter  
Robinson of Concord  
Hoit of Concord  
Gutterson  
Burley of Franklin  
Marsh  
Knowlton  
Clough of Loudon  
Flanders  
George of Salisbury  
Pattee  
Thompson of Warner  
Langley

Chandler  
Bailey of Brookline  
Goodale  
Stevens of Goffstown  
Jones of Goffstown  
Peavey  
Baker of Hillsborough  
Pierce of Hillsborough  
Farley  
Cross  
Bixby of Litchfield  
Bordman of Lyndeborough  
Morrison of Manchester  
Stark  
Stevens of Mason  
McGaw  
Putnam  
Bruce  
Sawyer of Nashua  
Baldwin  
Gibson of Pelham  
Woodbury  
Colby  
Whittemore  
Swett  
Cooledge  
Parker of Fitzwilliam  
Osgood  
Weeks of Richmond  
Copeland  
Whitcomb  
Silsby  
Cotton  
Willey  
Goldthwait  
Jones of Washington  
Locke of Alexandria  
Lang  
Wilcomb  
Moore  
Sanborn of Campton  
Blodgett of Canaan  
Page of Benton  
Rand

Blodgett of Dorchester  
Wallace of Franconia  
Cheney  
Swasey  
Ferrin  
Weeks of Hill  
Ladd of Holderness  
Clark  
Savage  
Stevens of Lyman  
McGrath  
Buzzell of Ellsworth

Evans  
Dearborn  
Whidden  
Peabody  
Glines  
Johnson  
Ballou  
Haines  
Young of Stewartstown  
Day  
Cole

Ayes 83. Noes 146.

So the negative of the question prevailed,  
And the amendment to the amendment was rejected.

Mr. Baker of Hillsborough moved that the amendment be amended by striking out the words "Saturday the 26th day of June instant," and inserting instead thereof the words "Saturday the 3d day of July next."

And the question being put,

Shall the amendment to the amendment be adopted?

It was decided in the affirmative.

So the amendment to the amendment was adopted.

On the question, will the House concur in said amendment as amended?

It was decided in the affirmative.

So the House concurred in said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Colby—

*Resolved*, That the rules of the House be so far suspended as to permit him to introduce a resolution at the present time.

Mr. Colby accordingly submitted the following resolution:

*Resolved*, That a committee be appointed on the part of the House, with such as the Senate may join, to report what disposition shall be made of the copies of the report of the State Geologist, now in the possession of the Secretary of State.

Mr. Parker of Fitzwilliam offered an amendment to the resolution.

And on the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Blaisdell offered a further amendment to the resolution.

But before the question was taken,



Mr. Blaisdell withdrew said amendment.

On motion of Mr. Sawyer of Nashua—

The House reconsidered the vote adopting the amendment to said resolution offered by Mr. Parker of Fitzwilliam.

Mr. Parker of Fitzwilliam withdrew said amendment.

The question recurring upon the passage of the resolution, It was decided in the affirmative.

So the resolution passed.

*Ordered*, That Messrs. Colby, Christie and Cheney be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Sawyer of Nashua, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending the laws relating to the rights and liabilities of married women, reported a bill entitled "An act in addition to and in amendment of an act, passed December 24th, 1840, entitled an act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Young of Meredith from the committee on Military Affairs, who were instructed to inquire into the expediency of extending the limits of the 3d company of Infantry in the sixteenth regiment, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the field officers in the 16th regiment New Hampshire militia be and are hereby authorized and directed to consolidate the third and seventh companies of Infantry in said regiment, any law or usage to the contrary notwithstanding.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Humphrey, from the committee on Incorporations, to whom was referred the petition of Joshua H. Hall and seventeen others, inhabitants of the fifth school district in the town of Rumney, and the petition of J. F. A. Peabody and six others, inhabitants of the seventh school district in the town of Wentworth, praying to be incorporated into a new school district, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petitions.

Mr. Perrin, from the committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act to unite certain railroad corporations with the Boston and Maine Railroad, reported the same bill without amendment.

*Ordered*, That the bill be read a third time to-morrow afternoon at 3 o'clock.

Mr. Perrin, from the same committee, to whom was referred the petition of the directors of the Great Falls and South Berwick Branch Railroad company, reported a bill entitled "An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls river, and to connect with any other railroad in the town of Somersworth."

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Blake, from the committee on Military Affairs, to whom was referred the petition of the field officers of the second regiment of N. H. militia, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the sum of one hundred dollars is hereby appropriated for the purpose of erecting a Gun House for the use of the Artillery company in the second regiment N. H. militia, and His Excellency the Governor is hereby authorized by warrant on the Treasurer to draw said sum from the Treasury at such time as he may think proper, and deliver the same to the Adjutant General, who is hereby required to apply the same to the purpose above specified, and render account thereof to the Legislature.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Colby, from the committee on Agriculture and Manufactures, to whom was referred the bill entitled "An act more effectually to prevent damage to the property of travellers, teamsters and other persons, by cattle and other creatures permitted to go at large, reported the same bill with an amendment.

On the question, shall said amendment be adopted ?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Lang, from the joint committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed bills of the following titles, and the following resolutions, to wit :

"An act to incorporate the Female Seminary at Haverhill,"

"An act to incorporate the New Boston Fire Insurance company."

"An act to raise sixty thousand dollars for the use of the State."

"An act to alter the time of holding the annual meeting of the Congregational Society in Hampton."

"An act in addition to an act to establish the rates at which polls and rateable estate shall be assessed."

"An act relating to collectors of taxes."

"An act to incorporate the People's Literary institute and Gymnasium."

A resolution relating to the subject matter of the memorial of Alexander Vattemare.

A resolution in favor of William Fiske.

A resolution authorizing the Treasurer to borrow money on the credit and for the use of the State.

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Bruce, from the committee on Claims, to whom were referred the accounts of Isaac L. Folsom and others, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That Isaac L. Folsom be allowed the sum of twelve dollars, that Stephen W. Dearborn be allowed the sum of nineteen dollars and sixty cents, that James Pickering be allowed the sum of ten dollars and seventy cents, that Currier & Hall be allowed the sum of six dollars, and that James Straw be allowed the sum of ten dollars, in full for their several accounts, and that the same be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred so much of the message of His Excellency the Governor as relates to the militia, reported a bill entitled "An act in relation to the militia."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Waldron, from the committee on Banks, to whom was referred the bill entitled "An act in addition to an act approved June 28, A. D. 1821, entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the Presi-



dent, Directors and Company of the New Hampshire Union Bank, approved June 18, 1802," reported the same bill with an amendment.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Treadwell—

*Ordered*, That the bill lie on the table.

The House proceeded to the order of the day upon bills of the following titles, and the following resolution, to wit :

"An act to incorporate the Concord East Village Fire Insurance Company."

"An act in addition to an act entitled an act for the preservation of highways and bridges, passed July 6, 1839."

"An act providing for the compensation of the officers of the civil list."

"An act relating to the public money deposited with the several towns in this State."

"An act requiring a bond of the Adjutant General."

A resolution defining the boundary lines of the town of Pittsburgh.

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution in favor of Theodore F. Rowe.

Mr. Wentworth moved said resolution be recommitted to the committee on Military Accounts.

But before the question was taken,

Mr. Wentworth withdrew said motion.

*Ordered*, That the resolution be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act in favor of Light Infantry, Rifle and Grenadier companies in this State.

Which was read a second time.

On motion of Mr. Young of Meredith—

*Ordered*, That the bill be recommitted to the committee on Military Affairs.

The House proceeded to the order of the day upon the bill entitled "An act relating to the choice of prudential school committees."

Which was read a second time.

On the question, shall the bill be read a third time?

It was decided in the negative.

So the bill was rejected.

The House proceeded in the order of the day upon the resolution relating to the account of Robert Davis.

Which was read a second time.

Mr. Parker of Fitzwilliam moved that the resolution be amended by adding at the close thereof the words following, to wit:—  
“And in default of payment thereof, the treasurer is directed to collect the same by due process of law.”

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the resolution be read a third time to-morrow afternoon at three o'clock.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled “An act to secure the public against the frauds of Banking Institutions.”

Mr. Baker of Hillsborough moved that the bill be amended by striking out the sixth, eighth, ninth and tenth sections thereof, which were as follows, to wit:

“SEC. 6. *And be it further enacted*, That this act shall apply only to those debts, dues and liabilities which may be created after the first day of September next.”

“SEC. 8. *And be it further enacted*, That it shall be the duty of the cashiers of the several banks on the first day of September next to furnish the town clerk of the town where any bank may be located the names of the stockholders on said first day of September next, to be recorded as aforesaid.”

“SEC. 9. *And be it further enacted*, That if any bank shall after the first day of September next, issue any note of a date prior, it shall be the duty of the cashier to stamp upon the back thereof the date of said issue, and the notes thus issued and stamped, shall be subject to the regulations and liabilities of original notes of the same date.”

“SEC. 10. *And be it further enacted*, That if any cashier shall neglect to stamp said notes as aforesaid he shall be liable to a penalty of twice the amount of said note, to be recovered in an action of debt by any person who may sue for the same”—and by striking out “11” before the last section of said bill and inserting instead thereof “7”—and by adding at the close of said bill a new section as follows:

“SEC. 8. *And be it further enacted*, That the provisions of this act shall apply only to bank corporations which may be created after the passage of this act.”

The question being upon the adoption of said amendment,  
The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight	Norris
Patten of Candia	Calley
Webster	Morrison of Sanbornton
Sanborn of Deerfield	Parrish
Rawlins of Deerfield	Cate
Ladd of Epping	Wedgewood
Foss of Greenland	Towle of Freedom
Batchelder of Hampstead	Burleigh of Sandwich
Towle of Hampton	Haley
Vennard	Beacham
Pickering	Wiggin of Ossipee
Currier	Thompson of Wolfborough
Batchelder of North Hampton	Thurston
Hoitt of Northwood	Marden
Crawford	Scribner
George of Plaistow	Morgan
Robinson of Poplin	Smith of Bradford
Wiggin of Portsmouth	Sanborn of Canterbury
Laighton	Bailey of Chichester
Dennett	Shute
Treadwell	Carter
Brown of Raymond	Hoit of Concord
Garland	Gutterson
Fifield	Wiggin of Epsom
Clough of Barrington	Burley of Franklin
Townsend	Marsh
Jones of Farmington	Ayer
Allen of Lee	Wilson
Buzzell of Middleton	Knowlton
Locke of New Durham	Clough of Loudon
Perkins	Gibson of Newbury
Foss of Strafford	George of Salisbury
Young of Barnstead	Page of Sutton
Rollins of Barnstead	Pattee
Bordman of Gilford	Thompson of Warner
Robinson of Gilford	Langley
Leavitt	Chandler
Eastman	Bailey of Brookline



Goodale	Locke of Alexandria
Jones of Goffstown	Lang
Peavey	Wilcomb
Patten of Hancock	Prescott
Baker of Hillsborough	Sanborn of Campton
Pierce of Hillsborough	Blodgett of Canaan
Farley	Page of Benton
Cross	Rand
Bixby of Litchfield	Blodgett of Dorchester
Boardman of Lyndeborough	Merrill
Morrison of Manchester	Wallace of Franconia
Stark	Cheney
Bruce	Swasey
McMillen	Ferrin
Gibson of Pelham	Weeks of Hill
Barnes	Clark
Kingsbury of Temple	Savage
Woodbury	Stevens of Lyman
Colby	Perrin
Whittemore	McGrath
Swett	Buzzell of Ellsworth
Bill	Evans
Mack	Dearborn
Weeks of Richmond	Goodwin
Copeland	Whidden
Whitcomb	Little
Silsby	Peabody
Cotton	Pitman
Willey	Glines
Moulton	Ballou
Prentiss	Haines
Goldthwait	Emery
Cutler	Wheeler of Milan
Adams of Springfield	Green
Glidden	Young of Stewartstown
Jones of Washington	Day
Rogers	Cole

Those who voted in the negative are—Messrs.

Robinson of Brentwood	Robinson of Exeter
Noyes	Odlin
Brown of Chester	Sanborn of Hampton Falls
Taylor	Blake
Porter	Thayer

Boyd	Steele
Stickney	Ames
Waldron	Kingsbury of Alstead
Thompson of Salem	Hamilton
Brown of Seabrook	Coolidge
Palmer	Mason of Dublin
Morrison of Windham	Parker of Fitzwilliam
Peirce of Dover	Felt
Christie	Wheeler of Keene
Ricker	Davis of Keene
Varney	Batchelder of Marlborough
Witham	Osgood
Torr	Converse
Morrill of Somersworth	Rawson
Griffin	Mason of Sullivan
McDuffie	Abbott
Mooney	Baker of Troy
Wight	Tudor
Young of Meredith	Morse
Harmon	Butterfield
Wentworth	Humphrey
Price	Hamlin
Morrill of Boscawen	Bingham
Robinson of Concord	Grannis
Flanders	Breck
Wallace of Amherst	Hall of Croydon
Bixby of Frankestown	Moore
Stevens of Mason	Blaisdell
McGaw	Ladd of Holderness
Putnam	Allen of Lebanon
Sawyer of Nashua	Lathrop
Spalding	Parker of Littleton
Beard	Brackett
Baldwin	Latham
Ainsworth	

Ayes 150. Noes 79.

So the question was decided in the affirmative,  
And the amendment was adopted.

The question being on the third reading of said bill—

Before the question was taken,

On motion of Mr. Dearborn—

The House adjourned.

## AFTERNOON.

The House proceeded to the order of the day upon bills of the following titles, to wit:

"An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire.

"An act providing further remedies against fraudulent debtors."

"An act making further provisions in relation to the trustees of debtors."

"An act for the punishment of frauds."

"An act to prevent the destruction of fish in Winnepisseogee lake, and the bays of the Winnepisseogee river".

"An act in addition to an act entitled an act relating to the rebuilding of Hart Island Bridge, approved July 1, 1837."

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House resumed the consideration of the unfinished business of the forenoon upon the bill entitled "An act to secure the public against the frauds of banking institutions."

The question being upon the third reading of the bill.

Mr. Baker of Hillsborough offered an amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Ela moved that the bill be amended by adding at the close of the first section thereof, the words following, to wit: "cash to the amount of their respective shares."

On the question, shall the amendment be adopted?

Mr. Baker of Hillsborough called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Knight

Patten of Candia

Noyes

Brown of Chester

Webster

Taylor

Porter

Ladd of Epping

Sanborn of Hampton Falls

Blake

Thayer

Boyd

Stickney

Wiggin of Portsmouth

Dennett

Thompson of Salem



Brown of Seabrook	Wilson
Palmer	Clough of Loudon
Townsend	Page of Sutton
Buzzell of Middleton	Bixby of Francestown
Locke of New Durham	Pierce of Hillsborough
Witham	Stark
Griffin	Bruce
Mooney	Gibson of Pelham
Paine	Ames
Bordman of Gilford	Barnes
Leavitt	Kingsbury of Temple
Eastman	Hamilton
Ela	Coolidge
Norris	Batchelder of Marlboro
Wedgewood	Goldthwait
Towle of Freedom	Moore
Thompson of Wolfborough	Blaisdell
Price	Dearborn
Smith of Bradford	Wheeler of Milan
Hoit of Concord	Green
Gutterson	

Those who voted in the negative are—Messrs.

Robinson of Brentwood	Fifield
Sanborn of Deerfield	Morrison of Windham
Rawlins of Deerfield	Clough of Barrington
Robinson of Exeter	Peirce of Dover
Odlin	Christie
Foss of Greenland	Jones of Farmington
Batchelder of Hampstead	Allen of Lee
Towle of Hampton	Ricker
Yennard	Varney
Pickering	Torr
Currier	Perkins
Batchelder of North Hampton	Foss of Strafford
Hoit of Northwood	Morrill of Somersworth
Crawford	McDuffie
George of Plaistow	Young of Barnstead
Robinson of Roplin	Rollins of Barnstead
Waldron	Robinson of Gilford
Laighton	Wight
Treadwell	Young of Meredith
Brown of Raymond	Calley
Garland	Morrison of Sanborn

Parish	Spalding
Cate	Beard
Harmon	Baldwin
Wentworth	Ainsworth
Beacham	McMillen
Wiggin of Ossipee	Steele
Thurston	Woodbury
Marden	Colby
Scribner	Whittemore
Morrill of Boscawen	Swett
Morgan	Kingsbury of Alstead
Sanborn of Canterbury	Mason of Dublin
Bailey of Chichester	Parker of Fitzwilliam
Shute	Bill
Carter	Felt
Robinson of Concord	Wheeler of Keene
Wiggin of Epsom	Davis of Keene
Burley of Franklin	Mack
Marsh	Osgood
Ayer	Weeks of Richmond
Knowlton	Converse
Gibson of Newbury	Rawson
Flanders	Copeland
Doe	Mason of Sullivan
George of Salisbury	Abbott
Pattee	Whitcomb
Thompson of Warner	Baker of Troy
Langley	Tudor
Wallace of Amherst	Morse
Chandler	Butterfield
Bailey of Brookline	Humphrey
Goodale	Hamlin
Jones of Goffstown	Bingham
Peavey	Cotton
Patten of Hancock	Grannis
Baker of Hillsborough	Breck
Farley	Willey
Cross	Moulton
Bixby of Litchfield	Prëntiss
Boardman of Lyndeborough	Cutler
Morrison of Manchester	Adams of Springfield
Stevens of Mason	Glidden
Putnam	Jones of Washington
Sawyer of Nashua	Rogers

Locke of Alexandria	Brackett
Lang	Stevens of Lyman
Wilcomb	Latham
Prescott	McGrath
Sanborn of Campton	Buzzell of Ellsworth
Blodgett of Canaan	Evans
Page of Benton	Goodwin
Rand	Whidden
Blodgett of Dorchester	Little
Wallace of Franconia	Peabody
Cheney	Pitman
Swasey	Glines
Ferrin	Johnson
Weeks of Hill	Ballou
Ladd of Holderness	Haines
Clark	Emery
Allen of Lebanon	Low
Lathrop	Day
Savage	Cole
Parker of Littleton	

Ayes 57. Noes 169.

So the amendment was rejected.

Mr. Bordman of Gilford moved that the bill lie on the table, and be made the special order of day for Tuesday next at 11 o'clock in the forenoon.

And the question being put,

It was decided in the negative.

The question recurring, shall the bill be read a third time?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight	Currier
Patten of Candia	Batchelder of North Hampton
Webster	Hoit of Northwood
Sanborn of Deerfield	Crawford
Rawlings of Deerfield	George of Plaistow
Ladd of Epping	Robinson of Poplin
Foss of Greenland	Laighton
Batchelder of Hampstead	Treadwell
Towle of Hampton	Brown of Raymond
Vennard	Garland
Pickering	Fifield



Clough of Barrington	Peavey
Jones of Farmington	Patten of Hancock
Allen of Lee	Baker of Hillsborough
Buzzell of Middleton	Pierce of Hillsborough
Locke of New Durham	Farley
Perkins	Cross
Young of Barnstead	Bixby of Litchfield
Rollins of Barnstead	Bordman of Lyndeborough
Paine	Morrison of Manchester
Robinson of Gilford	Stark
Leavitt	Bruce
Calley	McMillen
Cate	Gibson of Pelham
Towle of Freedom	Barnes
Burleigh of Sandwich	Woodbury
Maley	Colby
Beacham	Whittemore
Wiggin of Ossipee	Swett
Thompson of Wolfborough	Bill
Thurston	Mack
Scribner	Weeks of Richmond
Morgan	Copeland
Smith of Bradford	Whitcomb
Sanborn of Canterbury	Silsby
Bailey of Chichester	Willey
Shute	Moulton
Hoit of Concord	Prentiss
Gutterson	Goldthwait
Wiggin of Epsom	Cutler
Marsh	Adams of Springfield
Wilson	Glidden
Knowlton	Jones of Washington
Gibson of Newbury	Rogers
George of Salisbury	Locke of Alexandria
Page of Sutton	Lang
Pattee	Wilcomb
Thompson of Warner	Prescott
Langley	Sanborn of Campton
Chandler	Blodgett of Canaan
Bailey of Brookline	Page of Benton
Goodale	Rand
Stevens of Goffstown	Blodgett of Dorchester
Jones of Goffstown	Merrill

Wallace of Franconia  
 Cheney  
 Swasey  
 Ferrin  
 Weeks of Hill  
 Clark  
 Savage  
 Stevens of Lyman  
 Perrin  
 McGrath  
 Buzzell of Ellsworth  
 Evans  
 Dearborn  
 Goodwin

Whidden  
 Little  
 Peabody  
 Pitman  
 Glines  
 Johnson  
 Ballou  
 Haines  
 Emery  
 Low  
 Green  
 Young of Stewartstown  
 Day  
 Cole

Those who voted in the negative are—Messrs.

Robinson of Brentwood  
 Noyes  
 Brown of Chester  
 Taylor  
 Porter  
 Robinson of Exeter  
 Odlin  
 Sanborn of Hampton Falls  
 Blake  
 Thayer  
 Boyd  
 Stickney  
 Waldron  
 Wiggins of Portsmouth  
 Dennett  
 Thompson of Salem  
 Brown of Seabrook  
 Palmer  
 Morrison of Windham  
 Peirce of Dover  
 Townsend  
 Christie  
 Ricker  
 Varney  
 Witham  
 Torr  
 Foss of Strafford

Morrill of Somersworth  
 Griffin  
 McDuffie  
 Mooney  
 Bordman of Gilford  
 Wight  
 Eastman  
 Young of Meredith  
 Ela  
 Norris  
 Morrison of Sanbornton  
 Parrish  
 Harmon  
 Wedgewood  
 Wentworth  
 Marden  
 Price  
 Morrill of Boscawen  
 Carter  
 Robinson of Concord  
 Burley of Franklin  
 Ayer  
 Clough of Loudon  
 Flanders  
 Doe  
 Wallace of Amherst  
 Bixby of Frankestown

Stevens of Mason  
 McGaw  
 Putnam  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth  
 Steele  
 Ames  
 Kingsbury of Temple  
 Kingsbury of Alstead  
 Hamilton  
 Cooledge  
 Mason of Dublin  
 Parker of Fitzwilliam  
 Felt  
 Wheeler of Keene  
 Davis of Keene  
 Batchelder of Marlborough  
 Osgood  
 Converse

Rawson  
 Mason of Sullivan  
 Abbot  
 Baker of Troy  
 Tudor  
 Morse  
 Butterfield  
 Humphrey  
 Hamlin  
 Bingham  
 Cotton  
 Grannis  
 Breck  
 Moore  
 Blaisdell  
 Ladd of Holderness  
 Allen of Lebanon  
 Lathrop  
 Parker of Littleton  
 Brackett  
 Latham  
 Wheeler of Milan

Ayes 136. Noes 98.

So the affirmative of the question prevailed.

Mr. Treadwell moved that the rules of the House be so far suspended that the bill be read a third time at the present time by its title.

And the question being put—

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight  
 Patten of Candia  
 Webster  
 Sanborn of Deerfield  
 Rawlins of Deerfield  
 Ladd of Epping  
 Foss of Greenland  
 Batchelder of Hampstead  
 Towle of Hampton  
 Vennard  
 Pickering

Carrier  
 Batchelder of North Hampton  
 Hoitt of Northwood  
 Crawford  
 George of Plaistow  
 Robinson of Poplin  
 Lighton  
 Treadwell  
 Brown of Raymond  
 Garland  
 Palmer



Fifield	Baker of Hillsborough
Clough of Barrington	Pierce of Hillsborough
Peirce of Dover	Farley
Jones of Farmington	Cross
Allen of Lee	Bixby of Litchfield
Buzzell of Middleton	Boardman of Lyndeborough
Locke of New Durham	Morrison of Manchester
Perkins	Stark
Foss of Strafford	Bruce
McDuffie	McMillen
Young of Barnstead	Gibson of Pelham
Rollins of Barnstead	Barnes
Paine	Woodbury
Bordman of Gilford	Colby
Robinson of Gilford	Whittemore
Leavitt	Swett
Calley	Bill
Cate	Mack
Towle of Freedom	Weeks of Richmond
Burleigh of Sandwich	Copeland
Wiggin of Ossipee	Whiteomb
Thurston	Silsby
Scribner	Willey
Morgan	Moulton
Smith of Bradford	Goldthwait
Sanborn of Canterbury	Cutler
Bailey of Chichester	Adams of Springfield
Shute	Glidden
Gutterson	Jones of Washington
Wiggin of Epsom	Rogers
Marsh	Locke of Alexandria
Wilson	Lang
Knowlton	Wilcomb
Gibson of Newbury	Prescott
George of Salisbury	Sanborn of Campton
Page of Sutton	Blodgett of Canaan
Pattee	Page of Benton
Thompson of Warner	Rand
Langley	Blodgett of Dorchester
Bailey of Brookline	Wallace of Franconia
Goodale	Cheney
Stevens of Goffstown	Swasey
Jones of Goffstown	Ferrin
Peavey	Weeks of Hill
Patten of Hancock	Clark

Savage  
 Stevens of Lyman  
 Perrin  
 McGrath  
 Buzzell of Ellsworth  
 Evans  
 Dearborn  
 Goodwin  
 Whidden  
 Little  
 Peabody

Pitman  
 Glines  
 Johnson  
 Ballou  
 Haines  
 Emery  
 Low  
 Green  
 Young of Stewartstown  
 Day  
 Cole

Those who voted in the negative are—Messrs.

Robinson of Brentwood  
 Noyes  
 Brown of Chester  
 Taylor  
 Porter  
 Robinson of Exeter  
 Odlin  
 Sanborn of Hampton Falls  
 Blake  
 Thayer  
 Boyd  
 Stickney  
 Waldron  
 Wiggins of Portsmouth  
 Dennett  
 Thompson of Salem  
 Brown of Seabrook  
 Morrison of Windham  
 Townsend  
 Christie  
 Ricker  
 Varney  
 Witham  
 Torr  
 Morrill of Somersworth  
 Griffin  
 Mooney  
 Wight  
 Eastman  
 Young of Meredith  
 Ela

Norris  
 Morrison of Sanbornton  
 Parrish  
 Harmon  
 Wedgewood  
 Wentworth  
 Haley  
 Beacham  
 Thompson of Wolfborough  
 Marden  
 Price  
 Morrill of Boscawen  
 Carter  
 Robinson of Concord  
 Hoit of Concord  
 Burley of Franklin  
 Ayer  
 Clough of London  
 Flanders  
 Doe  
 Wallace of Amherst  
 Chandler  
 Birby of Frankestown  
 Stevens of Mason  
 McGaw  
 Putnam  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth

Steele	Morse
Ames	Butterfield
Kingsbury of Temple	Humphrey
Kingsbury of Alstead	Hamlin
Hamilton	Bingham
Coolidge	Cotton
Mason of Dublin	Grannis
Parker of Fitzwilliam	Breck
Felt	Prentiss
Wheeler of Keene	Moore
Davis of Keene	Merrill
Batchelder of Marlborough	Blaisdell
Osgood	Ladd of Holderness
Converse	Allen of Lebanon
Rawson	Lathrop
Mason of Sullivan	Parker of Littleton
Abbott	Brackett
Baker of Troy	Latham
Tudor	Wheeler of Milan

Ayes 134—Noes 100.

So the motion to suspend the rules did not prevail, less than two thirds of the whole House voting in the affirmative.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Robinson of Concord by leave presented the account of Reuben G. Wyman.

*Ordered*, That it be referred to the committee on Claims.

On motion of Mr. Mooney—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of repealing or amending that part of the law passed December 23, 1840 whereby sheriffs are allowed to retain all fees for services by them personally made.

On motion of Mr. Farley—

*Resolved*, That the committee on Banks be instructed to inquire into the expediency of passing a law requiring the cashiers of banks and clerks of railroad corporations to make annual returns in the month of April to the selectmen of the several towns where any stockholder may reside, of the amount of stock he may own on the first day of said April, as appears from the records of said corporation, and report by bill or otherwise.

Mr. Bruce moved that the bill entitled "An act to divide the State into districts for the choice of Senators," be now taken up and disposed of.



And the question being put,

It was decided in the negative.

So the House refused to resume the consideration of said bill.

Mr. Griffin moved that the bill entitled "An act to incorporate the Freewill Baptist Book Concern be now taken up and disposed of.

And the question being put,

It was decided in the negative.

So the House refused to resume the consideration of said bill.

On motion of Mr. Emery—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the constitutionality of unincorporated places notifying and holding meetings in their respective places for the choice of Representatives to the General Court, when said unincorporated places are classed with towns for that purpose.

On motion of Mr. Morrison of Manchester—

The House resumed the consideration of the bill entitled "An act securing to mechanics and laborers a lien on buildings, ships and other vessels.

Mr. Morrison of Manchester, offered an amendment to said bill.

On motion of Mr. Peirce of Dover—

*Ordered*, That the bill be referred to the committee on the Judiciary.

Mr. Sawyer of Nashua submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That so much of the resolution approved on the 19th day of June A. D. 1840, providing for the erection of a State arsenal at Lancaster, in the county of Coos, as directs the Commissary General to cause to be deposited in said arsenal certain military arms, stores and ammunition, be and the same is hereby so far rescinded that it shall not be the duty of that officer to cause any other muskets or bayonets, rifles, mounted six pounders, cartridges, bullets, shot, balls or apparatus to be deposited in said arsenal than are already deposited there.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Ayer moved that the resolution changing the hours to which the House shall from day to day adjourn, be now taken up and disposed of.

And the question being put,

Mr. Ayer called for the ayes and noes.

Those who voted in the affirmative are—Messrs:

Knight	Foss of Stratford
Robinson of Brentwood	Morrill of Somersworth
Patten of Candia	Griffin
Noyes	McDuffie
Brown of Chester	Mooney
Webster	Young of Barnstead
Sanborn of Deerfield	Rollins of Barnstead
Taylor	Paine
Porter	Bordman of Gifford
Ladd of Epping	Robinson of Gifford
Robinson of Exeter	Leavitt
Odlin	Wight
Batchelder of Hampstead	Eastman
Sanborn of Hampton Falls	Young of Meredith
Blake	Norris
Thayer	Calley
Boyd	Morrison of Sanbornton
Vennard	Cate
Stickney	Harmon
Currier	Wedgewood
Batchelder of North Hampton	Wentworth
Hoyt of Northwood	Burleigh of Sandwich
Crawford	Beacham
George of Plaistow	Thompson of Wolfborough
Waldron	Thurston
Wiggin of Portsmouth	Marden
Laighton	Scribner
Brown of Raymond	Price
Thompson of Salem	Morrill of Boseawen
Brown of Seabrook	Morgan
Palmer	Smith of Bradford
Fifield	Sanborn of Canterbury
Morrison of Windham	Bailey of Chichester
Clough of Barrington	Shute
Peirce of Dover	Carter
Townsend	Robinson of Concord
Christie	Hoit of Concord
Allen of Lea	Guttersen
Ricker	Wiggin of Epsom
Buzzell of Middleton	Burley of Franklin
Varney	Ayer
Locke of New-Durham	Wilson
Perkins	Knowlton

Clough of Loudon	Wheeler of Keene
Gibson of Newbury	Davis of Keene
Flanders	Batchelder of Marlborough
Doe	Mack
George of Salisbury	Osgood
Page of Sutton	Weeks of Richmond
Pattee	Converse
Thompson of Warner	Rawson
Langley	Copeland
Wallace of Amherst	Mason of Sullivan
Bailey of Brookline	Abbott
Goodale	Whitcomb
Stevens of Goffstown	Baker of Troy
Jones of Goffstown	Tudor
Peavey	Morse
Baker of Hillsborough	Butterfield
Pierce of Hillsborough	Humphrey
Farley	Silsby
Cross	Hamlin
Bixby of Litchfield	Bingham
Boardman of Lyndeborough	Cotton
Morrison of Manchester	Willey
Stark	Prentiss
Stevens of Mason	Goldthwaite
McGaw	Cutler
Putnam	Adams of Springfield
Sawyer of Nashua	Glidden
Spaulding	Rogers
Beard	Wilcomb
Baldwin	Prescott
Ainsworth	Moore
Steele	Sanborn of Campton
Ames	Blodgett of Canaan
Barnes	Merrill
Woodbury	Wallace of Franconia
Colby	Blaisdell
Whittemore	Weeks of Hill
Swett	Ladd of Holderness
Kingsbury of Alstead	Clark
Hamilton	Allen of Lebanon
Coolidge	Lathrop
Mason of Dublin	Savage
Parker of Fitzwilliam	Parker of Littleton
Bill	Brackett
Felt	Stevens of Lyman



Latham  
McGrath  
Buzzell of Ellsworth  
Evans  
Dearborn  
Whidden  
Peabody

Pitman  
Johnson  
Ballou  
Emery  
Wheeler of Milan  
Green

Those who voted in the negative are—Messrs.

Rawlins of Deerfield  
Foss of Greenland  
Towle of Hampton  
Pickering  
Robinson of Poplin  
Treadwell  
Jones of Farmington  
Parrish  
Wiggin of Ossipee  
Chandler  
Bruce  
Gibson of Pelham  
Grannis

Breck  
Moulton  
Locke of Alexandria  
Lang  
Page of Benton  
Rand  
Blodgett of Dorchester  
Adams of Grafton  
Swasey  
Goodwin  
Low  
Young of Stewartstown  
Day

Ayes 189—Noes 26.

So the House resumed the consideration of said resolution.

Mr. Pierce of Dover moved that the resolution be amended by striking out the word "to-morrow" in the first line, and inserting instead thereof the words "Monday next."

Which amendment was accepted by the mover.

On the question, shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the appointment of a committee to report what disposition shall be made of the copies of the report of the State Geologist now in the possession of the Secretary of State, and have on their part joined Mr. Nettleton.

The Senate concur with the House of Representatives in the passage of the following resolutions, to wit ;

A resolution in favor of Uriel Dean and another.

A resolution in favor of Josiah Stevens, jr. and another.

The Senate have passed a bill entitled "An act establishing the fees of Sheriffs for returning votes," in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Griffin gave notice that he will to-morrow ask leave to introduce a bill entitled "An act establishing the times and places of holding Courts of Probate in the County of Strafford."

Mr. Young of Meredith gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to establish a new organization of the Court of Common Pleas."

Mr. Morrison of Manchester gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to constitute the county of Stark."

Mr. McGrath gave notice that he will to-morrow ask leave to introduce a bill entitled "An act in addition to and in amendment of an act entitled an act in addition to and in amendment of an act entitled an act in relation to the Militia, passed July 3, 1837."

Pursuant to previous notice and by leave,

Mr. Stark introduced a bill entitled "An act prescribing times and places for holding Courts of Probate in the county of Hillsborough,"

Which was read a first and second time.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That it be referred to a select committee consisting of the delegation from the county of Hillsborough.

Agreeably to a resolution of the House, Mr. Odlin submitted a resolution making an appropriation for the Exeter Artillery company,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, and the following resolutions, to wit:

"An act to raise sixty thousand dollars for the use of the State."

"An act in addition to an act entitled an act to establish the rates

at which Polls and rateable estate shall be assessed in making direct taxes, approved January 4, 1833."

"An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

A resolution in favor of Elijah Carpenter and others.

The Senate have passed a bill with the following title, in which they ask the concurrence of the House—

"An act authorizing the stewards of Churches to hold lands for certain purposes."

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in their amendment to a resolution fixing upon a day upon which the business of the present session may be brought to a close.

The Senate have rejected the bill entitled "An act to incorporate the Lafayette Artillery."

The Senate concur with the House in the passage of bills of the following titles—to wit:

"An act in addition to an act approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Company."

"An act for the more speedy settlement of insolvent estates in certain cases."

"An act to prevent betting or wagering on elections."

The Senate have passed a bill with the following title, in which they ask the concurrence of the House—to wit:

"An act to incorporate the proprietors of the Mount Washington Bridle Road."

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate,

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Pursuant to previous notice and by leave,

Mr. Day introduced a bill entitled "An act changing the time of holding the Court of Common Pleas in Coos County,"



Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave,

Mr. Blaisdell introduced a bill entitled "An act to divide the county of Grafton into two judicial districts,"

Which was read a first and second time.

Mr. Dearborn offered an amendment to the bill.

Mr. Blaisdell offered an amendment to the amendment, which was accepted by the mover.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Pursuant to previous notice and by leave,

Mr. Robinson of Concord introduced a bill entitled "An act to incorporate the Concord Volunteers,"

Which was read a first and second time.

On motion of Mr. Robinson of Concord—

*Ordered*, That it be referred to the committee on Military Affairs.

Pursuant to previous notice and by leave,

Mr. Bruce introduced a bill entitled "An act in addition to an act entitled an act in relation to the Militia."

Which was read a first time.

On the question, shall the bill be read a second time?

It was decided in the negative.

So the bill was rejected.

Mr. Bordman of Gilford, by leave, presented the account of Seth Eastman.

Also the account of Winthrop Young.

Mr. Bruce, by leave, presented the account of Asa Fowler;

Also the account of Harry Hibbard,

*Ordered*, That said accounts be referred to the committee on Claims.

Agreeably to a resolution of the House,

Mr. Clark introduced a bill entitled "An act relating to the organization of the first artillery company in the thirty-second regiment of New Hampshire Militia."

Which was read a first and second time.

On motion of Mr. Clark—

*Ordered*, That it be referred to the committee on Military Affairs.

Agreeably to a resolution of the House,

Mr. Swasey introduced a bill entitled "An act to annex school district No. sixteen in Haverhill to school-district No. eleven in Bath."

Which were read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Pursuant to previous notice and by leave—

Mr. Sanborn of Deerfield introduced a bill entitled "An act to provide for the appointment of additional officers of the Portsmouth Artillery company."

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Pursuant to previous notice and by leave—

Mr. Young of Meredith introduced a bill entitled "An act to incorporate the Female Charitable Society of Concord."

Which was read a first time.

On the question, shall the bill be read a second time?

The ayes and noes were called for,

But before the question was taken,

On motion—

The House adjourned.

## SATURDAY, JUNE 26, 1841.

On motion of Mr. Treadwell—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Ela, from the committee on Towns and Parishes, to whom was referred the petition of Smith E. Buzzell and others, praying to be disannexed from the towns of Lee and Durham, and annexed to the town of Madbury, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Ela, from the same committee, to whom was referred the bill entitled "An act to sever certain portions of territory from the town of Sharon and annex the same to the towns of Peterborough, Jaffrey and Temple, made a further report,

Whereupon—

*Resolved*, That the bill be indefinitely postponed.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the petition of the New Hampshire Liberty Convention in behalf of 2000 legal voters, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Ladd, from the committee on Towns and Parishes, to whom was referred the petition of Benjamin Clendenin and eighty-one others, praying for a division of the town of Salem into two distinct towns; also the memorial of Frederick W. Bailey and one hundred and seventy others, remonstrating against the granting of the prayer of said petition reported the following resolution :

*Resolved*, That the petition be continued to the next session of the Legislature, and that the petitioners notify the said town of Salem thereof on or by the first day of February next.

On the question, shall the resolution pass ?

Mr. Porter called for a division of the House.

No quorum appearing to be present,

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the report lie on the table.

Mr. Smith of Bradford, from the committee on Elections, to whom were referred the petition of the inhabitants of the town of Peeling, praying for a special act to authorize said town to elect and send a representative to the General Court; the petition of Solomon Jessaman and others, inhabitants of the town of Franconia, praying for the same object; and the petition of Ross C. Haynes and others, praying that Pittsburgh and Clarksville be disannexed from Millsfield, Dixville and Errol and allowed to send a representative by themselves to the General Court, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to withdraw their respective petitions.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled "An act to incorporate the Female Charitable Society of Concord."

The question being upon the second reading of said bill.

Mr. Griffin moved that the bill lie on the table.

And the question being put,

It was decided in the negative.

The question recurring, shall said bill be read a second time,

The ayes and noes were called for.



Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Thompson of Wolfborough
Noyes	Thurston
Webster	Scribner
Taylor	Price
Porter	Morrill of Boscawen
Robinson of Exeter	Bailey of Chichester
Odlin	Shute
Sanborn of Hampton Falls	Carter
Blake	Robinson of Concord
Thayer	Hoit of Concord
Boyd	Burley of Franklin
Vennard	Knowlton
Stickney	Clough of Loudon
Waldron	Flanders
Wiggin of Portsmouth	Wallace of Amherst
Laighton	Chandler
Brown of Seabrook	Jones of Goffstown
Palmer	Pierce of Hillsborough
Fifield	Bordman of Lyndeborough
Morrison of Windham	Stevens of Mason
Clough of Barrington	Sawyer of Nashua
Townsend	Spalding
Jones of Farmington	Ainsworth
Ricker	Steele
Buzzell of Middleton	Ames
Varney	Kingsbury of Temple
Locke of New Durham	Woodbury
Witham	Colby
Torr	Kingsbury of Alstead
Foss of Strafford	Hamilton
Griffin	Mason of Dublin
Mooney	Parker of Fitzwilliam
Paine	Felt
Bordman of Gilford	Wheeler of Keene
Norris	Davis of Keene
Calley	Batchelder of Marlborough
Parrish	Osgood
Cate	Converse
Harmon	Rawson
Wedgewood	Mason of Sullivan
Wentworth	Abbot
Burleigh of Sandwich	Baker of Troy

Tudor	Wallace of Franconia
Morse	Blaisdell
Butterfield	Ladd of Holderness
Humphrey	Allen of Lebanon
Hamlin	Lathrop
Cotton	Parker of Littleton
Grannis	Brackett
Breck	Stevens of Lyman
Hall of Croydon	Latham
Moulton	Perrin
Prentiss	Dearborn
Goldthwait	Whidden
Cutler	Johnson
Adams of Springfield	Low
Moore	Wheeler of Milan

Those who voted in the negative are—Messrs.

Knight	Wiggin of Epsom
Rawlings of Deerfield	Wilson
Ladd of Epping	George of Salisbury
Foss of Greenland	Page of Sutton
Pickering	Pattee
Currier	Thompson of Warner
Batchelder of North Hampton	Langley
Hoit of Northwood	Bailey of Brookline
Crawford	Goodale
Robinson of Poplin	Stevens of Goffstown
Treadwell	Baker of Hillsborough
Brown of Raymond	Morrison of Manchester
Garland	Bruce
Thompson of Salem	McMillen
Allen of Lee	Gibson of Pelham
Perkins	Barnes
Leavitt	Whittemore
Eastman	Swett
Morrison of Sanbornton	Bill
Towle of Freedom	Mack
Beacham	Weeks of Richmond
Wiggin of Ossipee	Copeland
Marden	Whitcomb
Morgan	Silsby
Smith of Bradford	Willey
Sanborn of Canterbury	Glidden

Locke of Alexandria  
 Lang  
 Wilcomb  
 Prescott  
 Sanborn of Campton  
 Blodgett of Canaan  
 Page of Benton  
 Blodgett of Dorchester  
 Swasey  
 Ferrin  
 Clark  
 Savage

McGrath  
 Buzzell of Ellsworth  
 Little  
 Peabody  
 Pitman  
 Glines  
 Ballou  
 Emery  
 Green  
 Young of Stewartstown  
 Day

Ayes 114. Noes 75.

So the affirmative of the question prevailed.

Mr. Robinson of Concord moved that the bill be read a second time at the present time by its title.

And the question being put,

It was decided in the affirmative.

The bill was then read a second time.

The question being upon the third reading of said bill,

Mr. Treadwell moved that the bill lie on the table.

And the question being put,

It was decided in the negative.

The question recurring, shall the bill be read a third time ?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood  
 Noyes  
 Webster  
 Taylor  
 Porter  
 Robinson of Exeter  
 Odlin  
 Sanborn of Hampton Falls  
 Blake  
 Thayer  
 Boyd  
 Vennard  
 Stickney  
 Waldron  
 Wiggin of Portsmouth  
 Brown of Seabrook

Palmer  
 Fifield  
 Morrison of Windham  
 Clough of Barrington  
 Townsend  
 Jones of Farmington  
 Ricker  
 Buzzell of Middleton  
 Varney  
 Locke of New Durham  
 Witham  
 Torr  
 Foss of Strafford  
 Griffin  
 Mooney  
 Paine



Bordman of Gilford	Felt
Young of Meredith	Wheeler of Keene
Norris	Davis of Keene
Calley	Batchelder of Marlborough
Parish	Osgood
Cate	Converse
Harmon	Rawson
Wedgewood	Mason of Sullivan
Wentworth	Abbott
Burleigh of Sandwich	Baker of Troy
Thompson of Wolfborough	Tudor
Thurston	Morse
Scribner	Butterfield
Price	Humphrey
Morrill of Boscawen	Hamlin
Bailey of Chichester	Bingham
Shute	Cotton
Carter	Grannis
Robinson of Concord	Breck
Moit of Concord	Hall of Croyden
Burley of Franklin	Moulton
Knowlton	Prentiss
Clough of Loudon	Cutler
Flanders	Adams of Springfield
Wallace of Amherst	Moore
Chandler	Blaisdell
Pierce of Hillsborough	Ladd of Holderness
Boardman of Lyndeborough	Allen of Lebanon
Stevens of Mason	Lathrop
Sawyer of Nashua	Parker of Littleton
Spalding	Brackett
Ainsworth	Stevens of Lyman
Steele	Latham
Ames	Perrin
Kingsbury of Temple	Dearborn
Kingsbury of Alstead	Whidden
Hamilton	Johnson
Mason of Dublin	Wheeler of Milan
Parker of Fitzwilliam	

Those who voted in the negative are—Messrs.

Knight	Ladd of Epping
Sanborn of Deerfield	Foss of Greenland
Rawlins of Deerfield	Towle of Hampton

Pickering	Woodbury
Currier	Colby
Batchelder of North Hampton	Whittemore
Hoit of Northwood	Swett
Crawford	Bill
Robinson of Poplin	Mack
Laighton	Weeks of Richmond
Treadwell	Copeland
Brown of Raymond	Whitcomb
Garland	Silsby
Thompson of Salem	Willey
Allen of Lee	Goldthwait
Perkins	Glidden
Leavitt	Rogers
Eastman	Locke of Alexandria
Morrison of Sanbornton	Lang
Towle of Freedom	Wilcomb
Beacham	Prescott
Wiggin of Ossipee	Sanborn of Campton
Marden	Blodgett of Canaan
Morgan	Page of Benton
Smith of Bradford	Blodgett of Dorchester
Wiggin of Epsom	Wallace of Franconia
Wilson	Swasey
George of Salisbury	Ferrin
Page of Sutton	Clark
Pattee	Savage
Thompson of Warner	McGrath
Langley	Buzzell of Ellsworth
Bailey of Brookline	Little
Goodale	Peabody
Stevens of Goffstown	Pitman
Jones of Goffstown	Glines
Baker of Hillsborough	Ballou
Morrison of Manchester	Emery
Bruce	Low
McMillen	Green
Gibson of Pelham	Young of Stewartstown
Barnes	Day

Ayes 109. Noes 85.

So the affirmative of the question prevailed.

*Ordered*, That the bill be read a third time Monday :  
at three o'clock.

The following message in writing was received from his Excellency the Governor by the Secretary of State, which was read and is as follows:

*"To the Hon. Senate  
and House of Representatives:*

I herewith communicate the memorial of the Directors New York Lyceum and accompanying papers, which I requested to lay before the Legislature.

JOHN PA

*Executive Department, }  
June 26, 1841." }*

On motion of Mr. Morrill of Somersworth—

*Ordered*, That the message of His Excellency with the accompanying papers be referred to the committee on Education.

Mr. Doe, from the committee on Military Affairs, to whom referred the bill entitled "An act to incorporate the Concord volunteers," by leave reported the same without amendment.

*Ordered*, That the bill be read a third time Monday afternoon at 3 o'clock.

Mr. Patten of Hancock, from the committee on Military Affairs, to whom was referred the resolution respecting the collection of military fines; also the resolution changing the time of the annual trainings; also the resolution in regard to authorizing towns to receive the State arms, by leave, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon said subject.

Mr. Robinson of Poplin, from the same committee, to whom was referred the petition of the field officers of the 31st regiment of N. H. militia, praying for an amendment of the militia law, by leave, made a further report,

Whereupon—

— *Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Young of Meredith, from the same committee, to whom was referred the petition of N. O. Page and others, praying for a new field piece, by leave, reported a bill entitled "An act in relation to the Artillery company in the 31st regiment."

Which was read a first time.

*Ordered*, That the bill be read a second time this forenoon at eleven o'clock.

Mr. Sanborn of Deerfield, from the same committee, to whom was referred the resolution, instructing them to inquire into the expediency of enacting a law authorizing companies who are



quired by law to be armed with a musket or rifle to receive arms from the arsenal at Portsmouth or Lancaster, by leave, reported a bill entitled "An act in addition to an act entitled an act relating to the public property in the arsenal at Portsmouth and Lancaster."

Which was read a first time.

*Ordered*, That it be read a second time Monday forenoon at 11 o'clock.

Mr. Cheney, from the joint select committee appointed to report what disposition shall be made of the copies of the report of the State Geologist, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That the Secretary of State shall as soon as may be, cause one copy of the report of Dr. Jackson on the Geological and Mineralogical survey of the State to be furnished to each person comprising the Executive and Legislative branches of this State, to the Secretary and Treasurer, and to each of the Clerks of the Senate and House of Representatives, and to each Judicial officer, and to each of the Clerks of the Courts, and Registers of Probate, Attorney General, and to each of the societies within this State; and one copy to each State and Territory in the United States; one copy to each town in this State; one copy to the College; one copy to each incorporated Academy, and Literary Institution in this State; one copy to each Historical Society in the United States; one copy to the American Antiquarian Society; one copy to the Library of Congress of the United States; one copy to each incorporated Library in this State, and to deposite ten copies in the N. H. State Library, and also to deliver twenty copies to Dr. Jackson.

Which was read a first time.

On motion—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a second time at the present time.

The resolution was then read a second time.

On motion—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded to the order of the day upon bills of the following titles, and the following resolutions, to wit:

"An act to annex a part of school district No. 16 in Haverhill to school district No. 11 in Bath."

"An act changing the time of holding the court of common pleas in Coos county."

"An act in relation to the militia."

"An act to provide for the appointment of additional officers in the Portsmouth Artillery Company."

"An act establishing the fees of sheriffs for returning votes."

"An act in addition to and in amendment of an act, passed December 24th, 1840, entitled an act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."

"An act in favor of the Artillery Company in the thirty first Regiment."

A resolution in favor of Isaac L. Folsom and others.

A resolution authorizing and directing the consolidation of the third and seventh companies of Infantry in the sixteenth regiment.

A resolution appropriating one hundred dollars for the erection of a gun house for the use of the artillery company in the second regiment of N. H. militia.

Which were severally read a second time.

*Ordered*, That they be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act authorizing the stewards of churches to hold lands for certain purposes."

Which was read a second time.

On motion of Mr. Porter—

*Ordered*, That it be referred to the committee on the Judiciary.

The House proceeded in the order of the day upon the resolution relating to the arms at the State Arsenal at Lancaster.

Which was read a second time.

Mr. Robinson of Gilford moved that the resolution be referred to the committee on Military Affairs.

And the question being put,

It was decided in the negative.

*Ordered*, That the resolution be read a third time Monday afternoon at three o'clock.

The House proceeded in the order of the day upon the resolution making an appropriation for the Exeter Artillery Company.

Which was read a second time.

On the question, shall the resolution be read a third time?

It was decided in the negative.

So the resolution was rejected.

The House proceeded in the order of the day upon the bill en-

titled "An act to incorporate the proprietors of the Mount Washington Bridle Road."

Which was read a second time.

On the question, shall the bill be read a third time?

It was decided in the negative.

So the bill was rejected.

On motion of Mr. Smith of Bradford—

*Resolved*, That the committee on Roads, Bridges and Canals keep a journal of their proceedings in the investigation of the subject matter of the memorial of Thomas J. Laton, for the use of the House.

On motion of Mr. Pattee—

*Resolved*, That when the House adjourn this forenoon they adjourn to meet on Monday next at three o'clock in the afternoon.

Mr. Treadwell submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That the Commissary General be directed to deliver arms from the arsenal at Lancaster to such uniform companies as are by law entitled to receive the same, upon the requisition of the Adjutant General. Provided however, that the number of arms remaining in said arsenal at Lancaster shall not at any time be less than five hundred.

Which was read a first time.

On motion of Mr. Robinson of Gilford—

*Ordered*, That it be referred to the committee on Military Affairs.

On motion of Mr. Perrin—

*Resolved*, That the committee on Roads, Bridges and Canals to whom was referred the memorial of Thomas J. Laton and others, praying for relief against the oppressions of the Concord Railroad Corporation, be authorized to employ a clerk to keep a journal of the proceedings of said committee during the hearing to be had on said memorial.

Mr. Baker of Hillsborough submitted the following resolution:

*Resolved*, That the committee on Roads, Bridges and Canals be instructed to hear any testimony that may tend to establish the charges contained in the memorial of Thomas J. Laton and others, whether that testimony may relate to the injuries sustained by the memorialists or others who may not have signed said memorial.

Mr. Sawyer of Nashua moved that the resolution lie on the table.

And the question being put,

The ayes and noes were called for.



Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Ainsworth
Noyes	Ames
Taylor	Kingsbury of Temple
Porter	Kingsbury of Alstead
Robinson of Exeter	Hamilton
Odlin	Mason of Dublin
Sanborn of Hampton Falls	Parker of Fitzwilliam
Blake	Felt
Boyd	Wheeler of Keene
Vennard	Davis of Keene
Stickney	Batchelder of Marlborou
Waldron	Osgood
Brown of Seabrook	Converse
Morrison of Windham	Rawson
Clough of Barrington	Mason of Sullivan
Townsend	Abbott
Ricker	Baker of Troy
Varney	Tudor
Locke of New Durham	Morse
Witham	Butterfield
Torr	Humphrey
Morrill of Somersworth	Hamlin
Griffin	Bingham
Mooney	Cotton
Harmon	Grannis
Wentworth	Breck
Price	Hall of Croydon
Morrill of Boscawen	Prentiss
Shute	Blaisdell
Carter	Ladd of Holderness
Robinson of Concord	Allen of Lebanon
Hoit of Concord	Lathrop
Flanders	Parker of Littleton
Wallace of Amherst	Brackett
Stevens of Mason	Latham
Sawyer of Nashua	Perrin
Spalding	

Those who voted in the negative are—Messrs.

Knight	Sanborn of Deerfield
Webster	Rawlins of Deerfield

Foss of Greenland  
Towle of Hampton  
Pickering  
Currier  
Batchelder of North Hampton  
Hoitt of Northwood  
Crawford  
Robinson of Poplin  
Wiggin of Portsmouth  
Laighton  
Treadwell  
Brown of Raymond  
Garland  
Thompson of Salem  
Fifield  
Jones of Farmington  
Allen of Lee  
Buzzell of Middleton  
Perkins  
Paine  
Bordman of Gilford  
Leavitt  
Young of Meredith  
Norris  
Calley  
Parrish  
Cate  
Wedgewood  
Towle of Freedom  
Burleigh of Sandwich  
Beacham  
Wiggin of Ossipee  
Thompson of Wolfborough  
Thurston  
Marden  
Scribner  
Morgan  
Smith of Bradford  
Sanborn of Canterbury  
Bailey of Chichester  
Wiggin of Epsom  
Wilson  
Knowlton  
Clough of Loudon  
Doe

George of Salisbury  
Page of Sutton  
Pattee  
Thompson of Warner  
Langley  
Chandler  
Bailey of Brookline  
Goodale  
Stevens of Goffstown  
Jones of Goffstown  
Baker of Hillsborough  
Pierce of Hillsborough  
Boardman of Lyndeborough  
Morrison of Manchester  
Bruce  
Gibson of Pelham  
Barnes  
Woodbury  
Colby  
Whittemore  
Swett  
Bill  
Mack  
Weeks of Richmond  
Copeland  
Whitcomb  
Silsby  
Willey  
Moulton  
Goldthwait  
Cutler  
Adams of Springfield  
Glidden  
Rogers  
Locke of Alexandria  
Lang  
Wilcomb  
Prescott  
Sanborn of Campton  
Blodgett of Canaan  
Page of Benton  
Blodgett of Dorchester  
Wallace of Franconia  
Cheney  
Swasey

Ferrin  
Clark  
Savage  
Stevens of Lyman  
McGrath  
Buzzell of Ellsworth  
Dearborn  
Whidden  
Little  
Peabody

Pitman  
Glines  
Johnson  
Ballou  
Emery  
Low  
Wheeler of Milan  
Green  
Young of Stewartstown  
Day

Ayes 74—Noes 114.

So the motion to lay said resolution on the table did not prevail.

Mr. Smith of Bradford moved that the resolution be amended by adding at the close thereof, the words following, to wit: "provided that specifications thereof be first made in writing and furnished the committee."

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

And on the question, shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Baker of Hillsborough, by leave, presented the affidavit of Ebenezer Harris, relating to the subject matter of the memorial of Thomas J. Laton and others.

Mr. Baker of Hillsborough called for the reading of said affidavit—

Which was read.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

Mr. Porter gave notice that he will on Monday next ask leave to introduce a bill entitled "An act to incorporate the Derry Mutual Fire Insurance Company."

On motion—

The House adjourned.



MONDAY, JUNE 28, 1841.

On motion of Mr. Tudor—

*Resolved*, 'That the rules of the House be so far suspended that the reading of the journal of Saturday be dispensed with.

Mr. Morrill of Boscawen presented the petition of Joseph B. Gerrish.

Also the petition of Sherman Morrill, praying for the alteration of their respective names.

*Ordered*, That they be referred to the committee on the Alteration of Names.

Mr. Hoyt of Northwood, from the committee on Education, to whom was referred the message of His Excellency the Governor enclosing a petition of the New York Historical Society, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That the New York Historical Society be furnished with a copy of the New Hampshire Laws and proceedings of the Senate and House of Representatives, agreeably to their petitions, and a copy of other public documents to be furnished them by the Secretary of State from time to time when called for.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at eleven o'clock.

Mr. Peirce, from the committee on Roads, Bridges and Canals, made a report, which was read, and is as follows :

The Standing Committee on Roads, Bridges and Canals, to whom were referred the memorial of Thomas J. Laton and others, praying relief against the injustice and oppression of the Concord Railroad Corporation, and an affidavit of Ebenezer Harris, relating to the subject matter of said memorial, respectfully

### REPORT :

That, pursuant to the authority of the House, your committee, on the twenty-second instant, issued a subpoena, directed to the memorialists, commanding them to appear before your committee on Saturday, the twenty-sixth instant, at eight o'clock in the forenoon, to support and prove the allegations of their memorial, which said subpoena was duly served upon the memorialists by the Sergeant at Arms of the House, on the twenty-fourth instant

—that the memorialists appeared before your committee agreeably to requisition, with their counsel, when and where also appeared the Concord Railroad Corporation, with their counsel.

Your committee further report, that the memorialists having, at a subsequent sitting of the committee, in accordance with an order of the committee, and in compliance with a resolution of the House, furnished a specification of the particular charges expected to be proved under the general allegations contained in their memorial, your committee proceeded to hear and record the testimony offered by the memorialists in support of that specification. Two witnesses were examined, whose testimony is given at length in the journals of your committee, herewith submitted for the use of the House. Any remarks upon the character of that testimony seem to be rendered unnecessary by the subsequent course of proceeding on the part of the memorialists, who, at the next sitting of your committee, presented an application for leave to withdraw their memorial, in the form, and under the circumstances, particularly set forth in the journal of our proceedings herewith communicated.

The affidavit of Ebenezer Harris was not particularly considered by your committee, the son of the affiant, who claimed to act by his authority, having requested leave to withdraw the same, on the ground that it was given under a misunderstanding of facts.

For more particular information in relation to their proceedings, the committee would respectfully refer to their journal, and, as the result of those proceedings, they submit the following resolution for the consideration of the House.

H. S. PERRIN, for the Committee.

*Resolved*, That the memorialists have leave to withdraw their memorial;—that the affiant have leave to withdraw his affidavit, and that the committee be discharged from the further consideration of said memorial and affidavit.

On the question, shall the resolution reported by the committee pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Bingham, from the same committee, who were instructed to take into consideration the expediency of making further provision for the security of our citizens against the damages to which they are exposed by railroad cars crossing public roads and streets, made a further report,

Whereupon—

*Resolved*, That the further consideration of the subject be indefinitely postponed.

Mr. Blake, from the committee on Military Affairs, to whom was referred the petition of the officers of the Swanzey Artillery company, praying for two pieces of brass ordnance, reported a bill entitled "An act in favor of the Swanzey Artillery company,"

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

Mr. Bingham, from the committee on Roads, Bridges and Canals, submitted the following report—

The committee on Roads, Bridges and Canals, to whom was referred the bill entitled "An act relating to Railroads," having considered the same, report the accompanying bill as a substitute therefor.

JAMES H. BINGHAM, for the Committee.

The House proceeded to the consideration of the foregoing bill reported by said committee entitled "An act relating to Railroads,"

Which was read a first time.

Mr. Treadwell moved that the report of the committee be amended by striking out the words "the accompanying bill as a substitute therefor," and inserting instead thereof the words "the same bill without amendment."

The question being upon the adoption of said amendment,

Before the question was taken—

On motion of Mr. Peirce of Dover—

*Ordered*, That the report and accompanying bill lie on the table.

The House proceeded to the order of the day upon bills of the following titles and the following resolutions, to wit :

"An act to annex a part of school district No. sixteen in Haverhill to school district No. eleven in Bath."

"An act establishing the fees of Sheriffs for returning votes."

"An act in addition to and in amendment of an act passed 24th December, 1840, entitled "An act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."

"An act relating to the public money deposited with the several towns in this State."

"An act requiring a bond of the Adjutant General."

"An act to provide for the appointment of additional officers of the Portsmouth Artillery company."

"An act changing the time of holding the Court of Common Pleas in Coos County."

"An act to incorporate the Concord Volunteers."

"An act in relation to the militia."



"An act providing for the compensation of the officers of the civil list."

A resolution defining the boundary lines of the town of Pittsburgh.

A resolution directing the consolidation of the third and seventh companies of Infantry in the sixteenth regiment.

A resolution appropriating one hundred dollars for the erection of a gun house for the use of the artillery company in the second regiment.

A resolution directing the collecting of the account of the State against Robert Davis.

A resolution in favor of Isaac L. Folsom and others.

Which were severally read a third time.

*Resolved*, That they pass and that the titles of the bills be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act to divide the county of Grafton into two Judicial Districts."

Which was read a third time.

On motion of Mr. Dearborn—

*Ordered*, That the bill be put upon its second reading.

Mr. Dearborn offered an amendment to said bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Blaisdell—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act to enable the Great Falls and South Berwich Branch Railroad to cross Salmon Falls River and connect with any other Railroad in the town of Somersworth."

Which was read a third time.

On motion of Mr. Treadwell—

*Ordered*, That the bill be put upon its second reading.

Mr. Treadwell offered an amendment to the bill.

On motion of Mr. Christie—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bill entitled "An act to incorporate the Female Charitable Society of Concord."

Which was read a third time.

On the question, shall the bill pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Burleigh of Sandwich
Patten of Candia	Thompson of Wolfborough
Noyes	Thurston
Taylor	Price
Porter	Morrill of Boscawen
Robinson of Exeter	Shute
Odlin	Carter
Sanborn of Hampton Falls	Burley of Franklin
Blake	Ayer
Boyd	Knowlton
Waldron	Clough of Loudon
Wiggin of Portsmouth	Hoyt of Northfield
Brown of Seabrook	Wallace of Amherst
Palmer	Stevens of Mason
Fifield	McGaw
Morrison of Windham	Putnam
Clough of Barrington	Sawyer of Nashua
Sawyer of Dover	Spalding
Townsend	Beard
Peirce of Dover	Baldwin
Christie	Ainsworth
Ricker	Steele]
Witham	Ames
Foss of Strafford	Kingsbury of Temple
Morrill of Somersworth	Kingsbury of Alstead
McDuffie	Hamilton
Mooney	Mason of Dublin
Bordman of Gilford	Parker of Fitzwilliam
Tebbetts	Felt
Young of Meredith	Wheeler of Keene
Norris	Davis of Keene
Parrish	Batchelder of Marlborough
Cate	Osgood
Harmon	Converse
Wedgewood	Rawson
Wentworth	Mason of Sullivan

Abbott  
Baker of Troy  
Tudor  
Morse  
Butterfield  
Humphrey  
Hamlin  
Bingham  
Cotton  
Grannis  
Breck  
Hall of Croyden  
Moulton  
Prentiss

Cutler  
Adams of Springfield  
Moore  
Blaisdell  
Ladd of Holderness  
Allen of Lebanon  
Lathrop  
Parker of Littleton  
Brackett  
Latham  
Perrin  
Dearborn  
Wheeler of Milan

Those who voted in the negative are—Messrs.

Knight  
Sanborn of Deerfield  
Rawlins of Deerfield  
Ladd of Epping  
Foss of Greenland  
Towle of Hampton  
Pickering  
Currier  
Batchelder of North Hampton  
Hoyt of Northwood  
Crawford  
Robinson of Poplin  
Dennett  
Treadwell  
Brown of Raymond  
Garland  
Allen of Lee  
Buzzell of Middleton  
Locke of New Durham  
Perkins  
Young of Barnstead  
Rollins of Barnstead  
Paine  
Leavitt  
Ela  
Curry  
Calley  
Morrison of Sanbornton

Towle of Freedom  
Haley  
Beacham  
Wiggin of Ossipee  
Marden  
Scribner  
Morgan  
Smith of Bradford  
Bailey of Chichester  
Guttersen  
Wiggin of Epsom  
Marsh  
Wilson  
Gibson of Newbury  
Page of Sutton  
Chandler  
Bailey of Brookline  
Goodale  
Stevens of Goffstown  
Jones of Goffstown  
Patten of Hancock  
Baker of Hillsborough  
Farley  
Cross  
Bixby of Litchfield  
Morrison of Manchester  
Stark  
McMillen



Gibson of Pelham	Cheney
Barnes	Swasey
Woodbury	Smith of Haverhill
Colby	Weeks of Hill
Mack	Clark
Weeks of Richmond	Savage
Copeland	Stevens of Lyman
Whitcomb	McGrath
Silsby	Buzzell of Ellsworth
Wiley	Whidden
Goldthwaite	Little
Glidden	Peabody
Jones of Washington	Pitman
Rogers	Glines
Locke of Alexandria	Emerton
Wilcomb	Ballou
Prescott	Emery
Sanborn of Campton	Low
Blodgett of Canaan	Green
Page of Benton	Young of Stewartstown
Blodgett of Dorchester	Day
Wallace of Franconia	Cole

Mr. Blaisdell moved that those members now present, who were not in the House when the question was put, do now have leave to vote, upon said question being again stated.

Mr. Baker of Hillsborough raised a question of order, which was, whether the motion of Mr. Blaisdell was in order while another question was pending before the House.

The Speaker decided that said motion was in order.

The question being put upon said motion.

It was decided in the negative.

The vote upon the original question was then announced as follows :

Ayes 99. Noes 101.

So the bill was rejected.

The House proceeded in the order of the day upon the bill entitled "An act in favor of the Artillery company in the thirty-first regiment."

Which was read a first time.

Mr. Glidden moved that said bill be indefinitely postponed.

And the question being put,

It was decided in the affirmative.

So the bill was indefinitely postponed.

The House proceeded in the order of the day upon the resolution relating to the arms in the State arsenal at Lancaster.

Which was read a third time.

On motion of Mr. Sawyer of Nashua—

*Ordered*, That said resolution be referred to the committee on Military Affairs.

The House proceeded in the order of the day upon the bill entitled "An act to incorporate the Concord East Village Fire Engine Company."

Which was read a third time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That the bill be put upon its second reading.

On motion of Mr. Parker of Fitzwilliam—

*Ordered*, That it be referred to the committee on Military Affairs.

The House proceeded in the order of the day upon the bill entitled "An act in addition to an act entitled an act for the preservation of highways and bridges, passed July 6, 1839."

Which was read a third time.

On motion of Mr. Morrill of Somersworth—

*Ordered*, That the bill be put upon its second reading.

Mr. Bingham offered an amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Morrill of Somersworth offered a further amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Swasey offered a further amendment to the bill.

And the question being put—

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Foss of Greenland moved that the bill be recommitted to the committee on Roads, Bridges and Canals.

And the question being put,

It was decided in the negative.

Mr. Gibson of Newbury offered a further amendment to the bill.

And the question being put,

Shall said amendment be adopted ?

It was decided in the affirmative:

So the amendment was adopted.

Mr. Morrill of Somersworth moved that the bill be indefinitely postponed.

And the question being put,

The ayes and noes were called for.

But before the question was taken,

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bill entitled "An act more effectually to prevent damage to the property of travellers, teamsters and other persons by cattle and other creatures permitted to go at large."

Which was read a third time.

On the question, shall the bill pass ?

It was decided in the negative.

So the bill was rejected.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Parker of Fitzwilliam gave notice that he shall move to reconsider the vote denying a third reading to the bill entitled "An act to incorporate the Proprietors of Mount Washington Bridle Road," he having voted in the negative upon said question.

The House proceeded in the order of the day upon the bill entitled "An act to secure the public against the frauds of banking institutions."

Which was read a third time.

The question being upon the passage of said bill.

Before the question was taken,

On motion of Mr. Parker of Fitzwilliam—

The House adjourned.

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## TUESDAY, JUNE 29, 1841.

On motion of Mr. Tudor—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Porter presented the account of John H. Thompson.

Mr. Willey presented the account of Eliphalet Wiggin.

*Ordered*, That said accounts be referred to the committee on Claims.

Mr. Batchelder of Hampstead presented the petition of Moses



Page, Colonel of the 7th regiment, praying for the removal of an officer.

*Ordered*, That said petition be referred to the committee on Military Affairs.

Mr. Waldron, from the committee on Banks, to whom was referred the petition of Isaac C. Flanders and others, praying for the incorporation of a savings bank at Manchester, made a report,

Whereupon—

*Resolved*, That the petitioners have leave to bring in a bill.

Mr. Robinson of Brentwood, from the committee on Military Accounts, to whom was referred the account of John F. Holt, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That John F. Holt be allowed the sum of sixty-three dollars sixty-nine cents in full of his account for erecting a Gun House for the 22d regiment, and that he be authorized to transfer and convey the old Gun House on receiving the sum for which the same was appraised, and deduct the amount from said sixty-three dollars sixty-nine cents, and that the balance be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first time.

*Ordered*, That the resolution be read a second time this forenoon at 11 o'clock.

Mr. Hall, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor enclosing the resolutions of the States of Maine, Massachusetts, Delaware, Kentucky and Indiana, made a report,

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Loughton, from the same committee, to whom was referred the message of His Excellency the Governor, enclosing certain resolutions of the State of Alabama in relation to an exchange of the reports of of the Supreme Judicial Courts, made a further report,

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Parker of Fitzwilliam, from the same committee, who were instructed to inquire into the expediency of repealing or amending that part of the act passed December 23, 1840, which allows sheriffs to retain all fees for services by them personally made, made a report,

Whereupon—

*Resolved*, That it is inexpedient at this time to amend or repeal any of the provisions of said act.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, to wit :

“An act changing the place of holding one of the terms of the Court of Common Pleas in the county of Strafford.”

“An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll,”

“An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire.”

Mr. Hoit of Northfield, from the committee on Education, to whom was referred the petition of the association of school teachers of Cheshire county, praying for the passage of a law authorizing school districts to unite their funds in certain cases, reported a bill entitled “An act concerning the union of school districts.”

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Morrison of Manchester, from the committee on the Judiciary, to whom was referred the bill entitled “An act securing to mechanics and laborers a lien on buildings, ships and other vessels, with an amendment thereto, reported the same bill and amendment with an amendment to the amendment.

On the question, shall the amendment to the amendment be adopted ?

It was decided in the affirmative.

So the amendment to the amendment was adopted.

On the question, shall the amendment as amended be adopted ?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Swasey, from the same committee, to whom were referred sundry resolutions of the Legislatures of the States of New York, Massachusetts, Pennsylvania, Delaware and Indiana, relative to the proceeds of the sales of the public lands, made a further report,

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Lang, from the joint committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed bills of the following titles, and the following resolutions, to wit:

"An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

"An act in addition to an act entitled an act to constitute the counties of Belknap and Carroll."

"An act for the more speedy settlement of insolvent estates in certain cases."

"An act in addition to an act approved July 1, 1832, and entitled an act to establish a corporation by the name of the Amoskeag Manufacturing Company."

"An act to incorporate Engine Co. No. 1 in Antrim."

"An act changing the place of holding one of the terms of the Court of Common Pleas in the county of Strafford."

"An act to prevent betting and wagering on elections."

A resolution in favor of Elijah Carpenter and others.

A resolution appropriating seventeen hundred dollars for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford, and eight hundred dollars for the education of indigent blind and partially blind persons at the institution for the blind at Boston.

A resolution appropriating five hundred dollars for the contingent expenses of this State.

A resolution in favor of Uriel Dean and another.

"An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution prescribing the mode of distributing Dr. Jackson's Report on the Geological and Mineralogical survey of the State—with an amendment in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing resolution with the amendment which came down from the Hon. Senate.

On the question, will the House concur with the Hon. Senate in the adoption of the foregoing amendment?

It was decided in the affirmative.



So the House concurred in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled "An act to secure the public against the frauds of Banking institutions."

The question being upon the passage of said bill,

Mr. Baker of Hillsborough called for the ayes and noes.

Mr. Pitman moved that the House do now adjourn.

And the question being put,

It was decided in the negative.

The question recurring—

Shall the bill pass?

And the ayes and noes having been called for,

Those who voted in the affirmative are—Messrs.

Knight	Tebbetts
Patten of Candia	Curry
Webster	Calley
Sanborn of Deerfield	Morrison of Sanbornton
Rawlins of Deerfield	Cate
Ladd of Epping	Towle of Freedom
Foss of Greenland	Burleigh of Sandwich
Batchelder of Hampstead	Haley
Towle of Hampton	Beacham
Pickering	Wiggin of Ossipee
Currier	Thompson of Wolfborough
Batchelder of North Hampton	Thurston
Hoitt of Northwood	Marden
Crawford	Scribner
George of Plaistow	Morgan
Robinson of Poplin	Smith of Bradford
Laighton	Sanborn of Canterbury
Treadwell	Bailey of Chichester
Brown of Raymond	Shute
Garland	Hoit of Concord
Fifield	Gutterson
Jones of Farmington	Wiggin of Epsom
Allen of Lee	Marsh
Buzzell of Middleton	Wilson
Perkins	Knowlton
Young of Barnstead	Gibson of Newbury
Paine	Hoit of Northfield
Robinson of Gilford	Doe
Leavitt	George of Salisbury

Page of Sutton	Lang
Pattee	Wilcomb
Thompson of Warner	Prescott
Langley	Sanborn of Campton
Davis of Antrim	Blodgett of Canaan
Chandler	Page of Benton
Bailey of Brookline	Rand
Goodale	Blodgett of Dorchester
Stevens of Goffstown	Merrill
Jones of Goffstown	Wallace of Franconia
Peavey	Cheney
Patten of Hancock	Swasey
Baker of Hillsborough	Smith of Haverhill
Pierce of Hillsborough	Ferrin
Farley	Weeks of Hill
Cross	Clark
Bixby of Litchfield	Savage
Boardman of Lyndeborough	Stevens of Lyman
Morrison of Manchester	Perrin
Stark	McGrath
Bruce	Buzzell of Ellsworth
McMillen	Evans
Gibson of Pelham	Dearborn
Barnes	Goodwin
Woodbury	Little
Colby	Whidden
Swett	Peabody
Mack	Pitman
Weeks of Richmond	Glines
Copeland	Johnson
Whitcomb	Emerton
Silsby	Ballou
Willey	Haines
Moulton	Emery
Goldthwait	Low
Adams of Springfield	Wheeler of Milan
Glidden	Green
Jones of Washington	Young of Stewartstown
Rogers	Day
Locke of Alexandria	Cole

Those who voted in the negative are—Messrs.

Robinson of Brentwood  
Noyes

Brown of Chester  
Taylor

Porter  
Robinson of Exeter  
Odlin  
Sanborn of Hampton Falls  
Blake  
Thayer  
Boyd  
Stickney  
Waldron  
Wiggin of Portsmouth  
Dennett  
Brown of Seabrook  
Palmer  
Morrison of Windham  
Clough of Barrington  
Sawyer of Dover  
Peirce of Dover  
Townsend  
Christie  
Ricker  
Varney  
Witham  
Foss of Strafford  
Morrill of Somersworth  
Griffin  
McDuffie  
Mooney  
Bordman of Gilford  
Wight  
Young of Meredith  
Ela  
Norris  
Parrish  
Harmon  
Wedgewood  
Wentworth  
Hall of Tamworth  
Price  
Morrill of Boscawen  
Carter  
Robinson of Concord  
Burley of Franklin  
Ayer  
Flanders  
Wallace of Amherst

Bixby of Francestown  
Stevens of Mason  
McGaw  
Putnam  
Sawyer of Nashua  
Spalding  
Beard  
Baldwin  
Ainsworth  
Steele  
Ames  
Kingsbury of Temple  
Kingsbury of Alstead  
Hamilton  
Coolidge  
Mason of Dublin  
Parker of Fitzwilliam  
Felt  
Wheeler of Keene  
Batchelder of Marlborough  
Osgood  
Converse  
Rawson  
Mason of Sullivan  
Abbott  
Baker of Troy  
Tudor  
Morse  
Butterfield  
Humphrey  
Hamlin  
Bingham  
Cotton  
Grannis  
Breck  
Hall of Croydon  
Prentiss  
Cutler  
Moore  
Adams of Grafton  
Blaisdell  
Ladd of Holderness  
Allen of Lebanon  
Lathrop  
Parker of Littleton



Latham

Brackett

Ayes 138—Noes 99.

So the bill passed.

*Resolved*, That its title be as aforesaid.*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Glidden gave notice that he will to-morrow ask leave to introduce a bill entitled "An act to incorporate the Sullivan County Bank."

On motion of Mr. Gibson of Newbury—  
The House adjourned.

## AFTERNOON.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill entitled "An act in addition to an act entitled an act relating to the rebuilding of Hart Island Bridge, approved July 1, 1837."

Pursuant to previous notice,

Mr. Parker of Fitzwilliam moved that the House reconsider the vote denying a third reading to the bill entitled "An act to incorporate the proprietors of the Mount Washington Bridle Road."

On motion of Mr. Smith of Bradford—

*Ordered*, That said motion lie on the table.

The House proceeded to the order of the day upon the resolution in favor of Theodore F. Rowe.

Which was read a third time.

On the question, shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

The House proceeded in the order of the day upon the bill entitled "An act to unite certain railroad corporations with the Boston and Maine Road."

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Smith of Bradford—

*Resolved*, That the rules of the House be so far suspended that

all bills and resolutions which are now in order for a second reading at eleven o'clock this forenoon, be in order for a second reading at the present time.

The House proceeded to the order of the day upon the resolution directing copies of the laws and of the journals of the Senate and House of Representatives of this State, and other public documents to be furnished to the New-York Historical Society.

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act concerning the union of school districts."

Which was read a second time.

On the question, shall the bill be read a third time?

It was decided in the negative.

So the bill was rejected.

The House proceeded in the order of the day upon the bill entitled "An act in favor of the Swanzey Artillery Company."

Which was read a second time.

Mr. Smith of Bradford moved that the bill be amended by striking out the word "six" in the fourth line of the first section, and inserting instead thereof the word "four;" also by striking out the word "six" in the first line of the second section of said bill, and inserting instead thereof the word "four."

The question being upon the adoption of said amendment.

Before the question was taken,

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

The House proceeded in the order of the day upon the bill entitled "An act in addition to an act entitled an act relating to the public property in the Arsenal at Portsmouth and Lancaster."

Which was read a second time.

Mr. Day offered an amendment to the bill.

Before the question was taken,

On motion of Mr. Swazey—

*Ordered*, That the bill lie on the table.

Mr. Hoit of Northfield by leave presented the petition of James Drake and others, inhabitants of school district No. 6 in Epsom and republican school district in Pittsfield, praying for the annexation of the former to the latter district for the purpose of schooling.

*Ordered*, That said petition be referred to the committee on Education.

On motion of Mr. Parker of Fitzwilliam—

The House reconsidered the vote rejecting the resolution in favor of Theodore F. Rowe.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That the resolution be put upon its second reading.

On motion of Mr. Baker of Hillsborough—

*Ordered*, That the resolution be referred to a select committee consisting of one from each county.

On motion of Mr. Calley—

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of amending an act entitled "an act relating to the organization of the courts of justice," and report by bill or otherwise.

Agreeably to previous notice and by leave,

Mr. Smith of Bradford introduced a bill entitled "An act to incorporate the New Hampshire Farmer's Mutual Fire Insurance Co."

Which was read a first and second time.

Mr. Treadwell moved that the bill be amended by striking out the seventeenth section thereof.

Mr. Ayer moved that the bill be indefinitely postponed.

And the question being put,

It was decided in the negative.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill be referred to the committee on Incorporations.

On motion of Mr. Sawyer of Nashua—

The House resumed the consideration of the bill entitled "An act relating to Railroads and repealing certain acts and parts of acts relating thereto."

The question being upon the third reading of said bill.

Mr. Sawyer of Nashua offered an amendment to the bill.

Which was adopted.

Mr. Scribner moved that the bill lie on the table.

But before the question was taken,

Mr. Scribner withdrew said motion.

The question recurring shall the bill be read a third time?

Mr. Baker of Hillsborough called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood

Sanborn of Hampton Falls

Noyes

Blake

Brown of Chester

Thayer

Taylor

Boyd

Porter

Stickney

Robinson of Exeter

Waldron

Odlin

Brown of Seabrook



Morrison of Windham	Ames
Clough of Barrington	Barnes
Sawyer of Dover	Kingsbury of Temple
Peirce of Dover	Kingsbury of Alstead
Townsend	Hamilton
Christie	Cooledge
Ricker	Mason of Dublin
Varney	Parker of Fitzwilliam
Witham	Felt
Torr	Wheeler of Keene
Perkins	Davis of Keene
Foss of Strafford	Batchelder of Marlborough
Morrill of Somersworth	Osgood
Griffin	Converse
McDuffie	Rawson
Mooney	Mason of Sullivan
Bordman of Gilford	Abbot
Harmon	Baker of Troy
Wentworth	Tudor
Burleigh of Sandwich	Morse
Price	Butterfield
Morrill of Boscawen	Humphrey
Shute	Hamlin
Carter	Bingham
Robinson of Concord	Cotton
Hoit of Concord	Grannis
Burley of Franklin	Breck
Ayer	Hall of Croydon
Flanders	Prentiss
Wallace of Amherst	Moore
Bixby of Francestown	Adams of Grafton
Stevens of Mason	Blaisdell
McGaw	Ladd of Holderness
Putnam	Allen of Lebanon
Sawyer of Nashua	Lathrop
Spalding	Parker of Littleton
Beard	Brackett
Baldwin	Latham
Ainsworth	Dearborn
Steele	

Those who voted in the negative are—Messrs.

Patten of Candia	Rawlings of Deerfield
Sanborn of Deerfield	Ladd of Epping

Foss of Greenland	Bailey of Chichester
Batchelder of Hampstead	Gutterson
Towle of Hampton	Wiggin of Epsom
Pickering	Marsh
Currier	Wilson
Batchelder of North Hampton	Knowlton
Hoit of Northwood	Clough of Loudon
Crawford	Gibson of Newbury
George of Plaistow	Hoyt of Northfield
Robinson of Poplin	Doe
Wiggin of Portsmouth	George of Salisbury
Laighton	Page of Sutton
Dennett	Pattee
Treadwell	Thompson of Warner
Brown of Raymond	Langley
Garland	Davis of Antrim
Palmer	Chandler
Fifield	Bailey of Brookline
Allen of Lee	Goodale
Buzzell of Middleton	Stevens of Goffstown
Locke of New Durham	Jones of Goffstown
Young of Barnstead	Peavey
Rollins of Barnstead	Patten of Hancock
Leavitt	Baker of Hillsborough
Wight	Pierce of Hillsborough
Tebbets	Farley
Ela	Cross
Norris	Bixby of Litchfield
Curry	Bordman of Lyndeborough
Calley	Morrison of Manchester
Morrison of Sanbornton	Stark
Cate	Bruce
Wedgewood	McMillen
Towle of Freedom	Gibson of Pelham
Hall of Tamworth	Woodbury
Beacham	Colby
Wiggin of Ossipee	Swett
Thompson of Wolfborough	Mack
Marden	Weeks of Richmond
Scribner	Copeland
Morgan	Whitcomb
Smith of Bradford	Silsby
Sanborn of Canterbury	Moulton

Goldthwait	Savage
Cutler	Stevens of Lyman
Adams of Springfield	Perrin
Glidden	McGrath
Jones of Washington	Buzzell of Ellsworth
Rogers	Evans
Locke of Alexandria	Goodwin
Lang	Whidden
Wilcomb	Little
Prescott	Peabody
Sanborn of Campton	Pitman
Blodgett of Canaan	Glines
Page of Benton	Johnson
Rand	Emerton
Blodgett of Dorchester	Ballou
Merrill	Haines
Wallace of Franconia	Emery
Cheney	Low
Swasey	Wheeler of Milan
Smith of Haverhill	Green
Ferrin	Young of Stewartstown
Weeks of Hill	Day
Clark	Cole

Ayes 93. Noes 136.

So the bill was denied a third reading.

The Speaker announced the appointment of Messrs. Peirce of Dover, Dennet, Rollins of Barnstead, Wiggin of Ossipee, Burley of Franklin, Bixby of Litchfield, Butterfield, Cutler, Cheney and Greene, as the select committee of one from each county, to whom was referred the resolution in favor of Theodore F. Rowe.

Mr. Adams of Springfield gave notice that he will to-morrow ask leave to introduce a bill to alter the time of calling out the militia for inspection.

Mr. Morrison of Manchester gave notice that he will to-morrow ask leave to introduce a bill giving further powers to justices of the peace.

On motion of Mr. Treadwell—

The House resumed the consideration of the bill entitled "An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other railroad in the town of Somersworth."

Mr. Treadwell offered an amendment to the bill.



And on the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Christie moved that the further consideration of the bill be postponed to the next session of the Legislature, and that notice of the pendency thereof be given by publishing a copy of said bill and this order in one of the newspapers published in Dover three weeks successively, the last publication to be at least three weeks prior to said session.

The question being upon said motion,

Before the question was taken,

On motion of Mr. Laighton—

The House adjourned.

### WEDNESDAY, JUNE 30, 1841.

On motion of Mr. Tudor—

*Resolved*, That the rules of the House be so far suspended that the reading of the journal of yesterday be dispensed with.

Mr. Currier presented the petition of Hannah J. H. Edy, praying for the alteration of her name.

*Ordered*, That it be referred to the committee on the Alteration of Names.

Mr. Ferrin presented the account of William Fisk.

*Ordered*, That it be referred to the committee on Claims.

Mr. Bruce, from the committee on Claims, to whom were referred the accounts of Reuben G. Wyman and others, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That Reuben G. Wyman be allowed the sum of twenty-four dollars; John L. Martin be allowed the sum of two dollars; Seth Eastman be allowed the sum of one hundred and eight dollars and thirty-five cents; Winthrop Young be allowed the sum of five dollars and fifty cents; John H. Thompson be allowed the sum of eight dollars and ten cents; and Eliphalet Wiggin be allowed the sum of three dollars and thirty cents, in full of their several accounts, the same to be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Parker of Fitzwilliam, from the committee on the Judiciary, who were instructed to inquire into the constitutionality of unincorporated places notifying and holding meetings in their respective places for the choice of Representatives to the General Court when they are classed with towns for that purpose,

REPORTED :

That on an examination of the constitution of this State, they are of opinion that no unincorporated place, when classed with towns, has a right to hold meetings and vote for a Representative to the General Court, unless such unincorporated place "is entitled to town privileges" by some act of the Legislature; but when a law is passed classing such unincorporated place with towns and authorizing the district thus formed to hold meetings and vote for a representative, the committee believe such acts are constitutional, and do give such "town privileges" as the constitution contemplates.

Which report was accepted.

Mr. Blake, from the committee on Military Affairs, to whom was referred the bill entitled "An act to incorporate the Concord East Village Fire Engine Company," reported the same with an amendment.

On the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Waldron, from the committee on Banks, to whom was referred the petition of the directors of the Concord Bank, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be indefinitely postponed.

Mr. Waldron, from the same committee, to whom was referred the bill entitled "An act to limit the liability of Bank directors and to prohibit officers of Banks from receiving compensation for services in certain cases," reported the following resolution—

*Resolved*, That the further consideration thereof be postponed to the next session of the Legislature.

On the question, shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Swazey—

*Ordered*, That the bill be re-committed to the same committee, with instructions to fill the blanks in said bill, and report the same to the House.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom were referred the returns of the Adjutant and Quarter-Master General, reported a bill entitled "An act making appropriations for the Militia of this State for the year 1841."

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Mr. Patten, from the same committee, to whom was re-committed the bill entitled "An act in favor of Light Infantry and other companies in this State," reported the same bill in a new draft.

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at eleven o'clock.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the petition of James Drake and others, inhabitants of School District No. 6 in the town of Epsom, and Republican School District in Pittsfield, praying for the annexation of the former to the latter district, reported a bill entitled "An act to unite School District No. 6 in Epsom with Republican School District in Pittsfield."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.

Mr. Haley, from the committee on Incorporations, to whom was referred the bill entitled "An act to incorporate the New-Hampshire Farmers' Mutual Fire Insurance Company," reported the same bill with two several amendments.

On the question, shall the first of said amendments be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question, shall the second of said amendments be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Peirce of Dover, from the select committee to whom was referred the resolution in favor of Theodore F. Rowe, reported the same without amendment.



On the question, shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Wight, from the committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed, bills of the following titles and the following resolutions, to wit :

“An act making further provision in relation to the Trustees of Debtors.”

“An act to prevent the destruction of fish in the Winnepisseogee Lake and the bays of the Winnepisseogee River.”

A resolution prescribing the mode of distributing Dr. Jackson's report upon the Geological and Mineralogical survey of the State.

A resolution in favor of Josiah Stevens, jr. and another.

“An act establishing fees of sheriffs for returning votes.”

“An act in addition to an act entitled an act relating to the rebuilding of Hart Island bridge, approved July 1, 1837.”

“An act providing for the compensation of the officers of the civil list.”

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Day, from the committee on Military Accounts, to whom were referred the account and vouchers of Charles H. Peaslee, Adjutant and acting Quarter-Master General,

### REPORTED :

That they have carefully examined every part of said account, together with the vouchers for each and every item of the same, and find the same correctly cast and well vouched, and there remains a balance in his hands of sixty-four dollars and eighty-four cents.

There are, however, outstanding claims against the department for annual allowances to adjutants the sum of seventy-two dollars, and for annual allowances to artillery companies the sum of ninety-one dollars; making in all, the sum of one hundred and sixty-three dollars; which sum, when paid, will leave the sum of ninety-eight dollars and sixteen cents due the Adjutant and acting Quarter-Master General's department.

On motion—

*Resolved*, That the Report be accepted.

Mr. Blodgett of Canaan, from the select committee who were instructed to inquire whether any inequality exists in the salaries of the county officers in the several counties in this State, and also to inquire into and equalize the amount paid to the several judges and registers of probate in this State according to the population and valuation of the respective counties, reported a bill entitled "An act in addition to and in amendment of an act entitled an act to constitute the counties of Belknap and Carroll; passed Dec. 23, 1840."

Which was read a first and second time.

Mr. Blodgett of Canaan moved that the bill lie on the table.

And the question being put—

It was decided in the negative.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Morrison of Manchester, from the select committee consisting of the delegation from the county of Hillsborough, to whom was referred the bill entitled "An act prescribing times and places for holding Courts of Probate in the county of Hillsborough," reported the same bill with an amendment.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Morrison of Manchester offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted.

It was decided in the affirmative.

So the amendment was adopted.

Mr. Morrison of Manchester offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted.

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at 3 o'clock.

Mr. Baker of Hillsborough introduced a Report.

Which was read—

And the following Resolutions :

*Resolved*, That the Constitution of the United States was established by the people of the States respectively, the people

of each State acting in their sovereign capacity as a party to the compact.

*Resolved*, That each State is sovereign within its own territory, except so far as that sovereignty may be abridged by the delegation of the powers specified in the Federal constitution.

*Resolved*, That the Federal Government is limited in its jurisdiction, but within its appropriate sphere, is paramount to the authority of the States.

*Resolved*, That it is the duty of the Federal Government to provide for the faithful observance of the stipulations contained in the Federal Constitution.

*Resolved*, That the refusal of one State to surrender a person charged with the commission of a crime within another State, and who shall flee from justice, is an open disregard of the plain letter of the Constitution, subversive of the peace and harmony of the Union, destructive of the ends for which the Federal Constitution was established.

*Resolved*, That the Executive of this State be requested to transmit to the Executive of the several States, to be laid before their respective Legislatures, and to our Senators and Representatives in Congress to be laid before that body, a copy of the above report and of these resolutions.

The question being upon the passage of the resolutions,

Mr. Spalding called for a division of the question.

On the question, shall the first of said resolutions pass ?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the second of said resolutions pass ?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the third of said resolutions pass ?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the fourth of said resolutions pass ?

It was decided in the affirmative.

So the resolution passed.

On the question, shall the fifth of said resolutions pass ?

Mr. Spalding called for the ayes and noes.

But before the question was taken,

Mr. Peirce of Dover moved that the resolutions and report lie on the table.

And the question being put,

It was decided in the negative.

Mr. Parker of Fitzwilliam moved that said resolution be amend-



ed by inserting after the words "of" in the first line thereof, the words following to wit : "treason, felony or other."

And the question being put,

Shall said amendment be adopted ?

It was decided in the negative.

So the amendment was rejected.

Mr. Spalding withdrew the call for the ayes and noes.

Mr. Baker of Hillsborough renewed the call for the ayes and noes.

Mr. Batchelder of Marlborough having proceeded to address the House upon said question for the third time, was called to order by Mr. Baker of Hillsborough.

It was moved that Mr. Batchelder of Marlborough have leave to proceed and address the House.

And the question being put,

It was decided in the affirmative.

The question being put,

Shall the resolution pass ?

And the ayes and noes having been called for,

Before the Clerk commenced the call of the House,

Mr. Bingham offered an amendment to the resolution.

Mr. Baker of Hillsborough raised a question of order, which was, whether it was now in order to receive the amendment offered by Mr. Bingham ?

The Speaker decided that it was in order to receive the amendment.

Which was, to insert after the word "crime" in the third line of the resolution, the words "as mentioned in the Constitution of the United States."

And the question being put,

Shall the amendment be adopted ?

It was decided in the negative.

So the amendment was rejected.

Mr. Stickney moved that the resolution be amended by inserting at the close thereof the words following, to wit :

"Provided however, that these resolutions are to have no reference whatever to the conduct of the Governors of the States of Maine and Georgia."

And the question being put,

Shall said amendment be adopted ?

It was decided in the negative.

So the amendment was rejected.

Mr. Morrill of Somersworth moved that the resolution be amended by inserting at the close thereof the words following, to wit :

*Resolved by the Senate and House of Representatives, That a well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."*

Mr. Baker of Hillsborough raised a question of order, which was, whether the amendment offered by Mr. Morrill of Somersworth was in order.

The Speaker decided that said amendment was not in order.

The question recurring, shall the resolution pass ?

And the ayes and noes having been called for,

Those who voted in the affirmative are—Messrs.

Patten of Candia	Paine
Webster	Bordman of Gilford
Rawlins of Deerfield	Robinson of Gilford
Ladd of Epping	Leavitt
Foss of Greenland	Wight
Batchelder of Hampstead	Tebbetts
Towle of Hampton	Eastman
Vennard	Young of Meredith
Pickering	Ela
Currier	Norris
Batchelder of North Hampton	Curry
Hoit of Northwood	Calley
Crawford	Morrison of Sanbornton
George of Plaistow	Cate
Waldron	Wedgewood
Wiggin of Portsmouth	Towle of Freedom
Laighton	Wentworth
Dennett	Burleigh of Sandwich
Treadwell	Hall of Tamworth
Brown of Raymond	Haley
Garland	Beacham
Thompson of Salem	Wiggin of Ossipee
Palmer	Thompson of Wolfborough
Fifield	Thurston
Jones of Farmington	Marden
Allen of Lee	Scribner
Buzzell of Middleton	Morgan
Locke of New Durham	Smith of Bradford
Perkins	Sanborn of Canterbury
Mooney	Bailey of Chichester
Young of Barnstead	Shute
Rollins of Barnstead	Carter

Robinson of Concord	Bill
Hoit of Concord	Mack
Gutterson	Weeks of Richmond
Wiggin of Epsom	Copeland
Burley of Franklin	Whitcomb
Marsh	Grannis
Ayer	Willey
Wilson	Moulton
Knowlton	Goldthwait
Clough of Loudon	Cutler
Gibson of Newbury	Adams of Springfield
Hoit of Northfield	Glidden
Doe	Jones of Washington
George of Salisbury	Rogers
Page of Sutton	Locke of Alexandria
Pattee	Lang
Thompson of Warner	Wilcomb
Langley	Prescott
Davis of Antrim	Sanborn of Campton
Chandler	Blodgett of Canaan
Bailey of Brookline	Page of Benton
Goodale	Rand
Stevens of Goffstown	Blodgett of Dorchester
Jones of Goffstown	Merrill
Peavey	Wallace of Franconia
Patten of Hancock	Cheney
Baker of Hillsborough	Swasey
Pierce of Hillsborough	Smith of Haverhill
Farley	Weeks of Hill
Cross	Clark
Bixby of Litchfield	Savage
Boardman of Lyndeborough	Stevens of Lyman
Morrison of Manchester	McGrath
Stark	Buzzell of Ellsworth
Bruce	Evans
McMillen	Dearborn
Gibson of Pelham	Goodwin
Barnes	Whidden
Kingsbury of Temple	Little
Woodbury	Peabody
Colby	Pitman
Swett	Glines
Hamilton	Emerton
Coolidge	Ballou



Haines  
Emery  
Low  
Wheeler of Milan

Green  
Young of Stewartstown  
Day  
Cole.

Those who voted in the negative are—Messrs.

Knight  
Brown of Chester  
Taylor  
Porter  
Odlin  
Blake  
Thayer  
Boyd  
Stickney  
Brown of Seabrook  
Morrison of Windham  
Varney  
Morrill of Somersworth  
Griffin  
Harmon  
Price  
Morrill of Boscawen  
Flanders  
Wallace of Amherst  
Bixby of Francestown  
Stevens of Mason  
McGaw  
Putnam  
Spalding  
Beard  
Baldwin

Ainsworth  
Steele  
Ames  
Kingsbury of Alstead  
Mason of Dublin  
Felt  
Davis of Keene  
Batchelder of Marlborough  
Osgood  
Rawson  
Mason of Sullivan  
Baker of Troy  
Tudor  
Humphrey  
Hamlin  
Bingham  
Cotton  
Hall of Croyden  
Prentiss  
Moore  
Adams of Grafton  
Ladd of Holderness  
Parker of Littleton  
Latham  
Perrin

Ayes 166. Noes 51.

So the resolution passed.

On the question, shall the sixth of said resolutions pass?

It was decided in the affirmative.

So the resolution passed.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled "An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in the town of Somersworth."

The question being upon the motion of Mr. Christie, that the

further consideration of the bill be postponed to the next session of the Legislature, and that notice of the pendency thereof be given by publishing a copy of said bill and this order, in one of the newspapers published in Dover three weeks successively, the last publication to be at least three weeks prior to said session.

But before the question was taken,

On motion of Mr. Blaisdell—

The House adjourned.

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### AFTERNOON.

The House resumed the consideration of the unfinished business of the forenoon upon the bill entitled "An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in the town of Somersworth."

The question being put upon the motion of Mr. Christie.

It was decided in the negative.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Baker of Hillsborough—

The House resumed the consideration of the bill entitled "An act prescribing the times and places of holding the terms of the superior court of judicature."

Mr. Baker of Hillsborough called for the reading of the memorial of Joel Parker and others.

Which was read.

Mr. Baker of Hillsborough offered an amendment to the bill.

And on the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Stevens of Lyman moved that the bill be amended by adding at the close thereof the words following:—

"Provided however that this act shall not affect the courts in the counties of Grafton and Coos, but said superior courts shall continue to be holden in said counties of Grafton and Coos in the same way and manner as though this act had not passed."

Mr. Curry moved that the bill be indefinitely postponed.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	McMillen
Foss of Greenland	Gibson of Pelham
Towle of Hampton	Swett
Sanborn of Hampton Falls	Coolidge
Pickering	Batchelder of Marlborough
Batchelder of North Hampton	Wilcomb
Hoyt of Northwood	Prescott
Townsend	Blodgett of Canaan
McDuffie	Blodgett of Dorchester
Mooney	Merrill
Leavitt	Adams of Grafton
Wight	Cheney
Tebbetts	Clark
Curry	Stevens of Lyman
Morrison of Sanbornton	Perrin
Wedgewood	McGrath
Towle of Freedom	Peabody
Beacham	Pitman
Wiggin of Ossipee	Glines
Thompson of Wolfborough	Johnson
Wilson	Ballou
Wallace of Amherst	Haines
Bailey of Brookline	Emery
Stevens of Goffstown	Low
Farley	Wheeler of Milan
Cross	Green
Stevens of Mason	Young of Stewartstown
Bruce	Day

Those who voted in the negative are—Messrs.

Knight	Thayer
Brown of Chester	Boyd
Webster	Vennard
Sanborn of Deerfield	Stickney
Rawlins of Deerfield	Currier
Taylor	Robinson of Poplin
Porter	Waldron
Ladd of Epping	Wiggin of Portsmouth
Robinson of Exeter	Laighton
Odlin	Dennett
Batchelder of Hampstead	Treadwell
Blake	Brown of Raymond



Garland  
Thompson of Salem  
Brown of Seabrook  
Palmer  
Fifield  
Morrison of Windham  
Clough of Barrington  
Sawyer of Dover  
Peirce of Dover  
Christie  
Jones of Farmington  
Allen of Lee  
Ricker  
Buzzell of Middleton  
Varney  
Locke of New Durham  
Witham  
Torr  
Perkins  
Foss of Strafford  
Morrill of Somersworth  
Griffin  
Young of Barnstead  
Paine  
Bordman of Gilford  
Robinson of Gilford  
Young of Meredith  
Ela  
Norris  
Calley  
Parrish  
Cate  
Harmon  
Wentworth  
Burleigh of Sandwich  
Marden  
Scribner  
Price  
Morrill of Boscawen  
Morgan  
Smith of Bradford  
Sanborn of Canterbury  
Bailey of Chichester  
Shute

Carter  
Robinson of Concord  
Hoit of Concord  
Guterson  
Wiggin of Epsom  
Burley of Franklin  
Marsh  
Ayer  
Knowlton  
Clough of Loudon  
Gibson of Newbury  
Flanders  
Hoyt of Northfield  
George of Salisbury  
Page of Sutton  
Pattee  
Thompson of Warner  
Langley  
Davis of Antrim  
Chandler  
Goodale  
Bixby of Francestown  
Jones of Goffstown  
Peavey  
Patten of Hancock  
Baker of Hillsborough  
Pierce of Hillsborough  
Bixby of Litchfield  
Boardman of Lyndeborough  
Morrison of Manchester  
Stark  
McGaw  
Putnam  
Sawyer of Nashua  
Spalding  
Beard  
Baldwin  
Ainsworth  
Steele  
Ames  
Barnes  
Kingsbury of Temple  
Woodbury  
Colby

Kingsbury of Alstead	Cutler
Mason of Dublin	Adams of Springfield
Parker of Fitzwilliam	Glidden
Bill	Jones of Washington
Felt	Rogers
Wheeler of Keene	Locke of Alexandria
Davis of Keene	Moore
Mack	Sanborn of Campton
Osgood	Rand
Weeks of Richmond	Wallace of Franconia
Converse	Blaisdell
Rawson	Swasey
Mason of Sullivan	Smith of Haverhill
Abbott	Weeks of Hill
Whitcomb	Ladd of Holderness
Tudor	Allen of Lebanon
Morse	Savage
Butterfield	Parker of Littleton
Humphrey	Brackett
Hamlin	Buzzell of Ellsworth
Bingham	Evans
Breck	Goodwin
Cotton	Whidden
Hall of Croyden	Little
Willey	Emerton
Moulton	Cole
Goldthwaite	

Ayes 56. Noes 165.

So the motion that said bill be indefinitely postponed did not prevail.

The question recurring upon the adoption of the amendment offered by Mr. Stevens of Lyman.

Mr. Ayer moved that the amendment be amended by striking out the words "counties of Grafton and" in the second line, and inserting instead thereof the words "county of" and by striking out the words "counties of Grafton and" in the third line, and inserting instead thereof the words "county of."

And the question being put,

Shall the amendment to the amendment be adopted?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Sanborn of Deerfield	Farley
Ladd of Epping	Stark
Blake	Bruce
Thayer	Sawyer of Nashua
Vennard	Beard
Stickney	McMillen
Batchelder of North Hampton	Ames
Robinson of Poplin	Kingsbury of Temple
Walford	Woodbury
Fifield	Kingsbury of Alstead
Morrison of Windham	Parker of Fitzwilliam
Sawyer of Dover	Batchelder of Marlborough
Townsend	Mack
Ricker	Weeks of Richmond
Varney	Rawson
Foss of Strafford	Moulton
Griffin	Glidden
McDuffie	Rogers
Paine	Moore
Bordman of Gilford	Sanborn of Campton
Wight	Blodgett of Dorchester
Ela	Merrill
Norris	Swasey
Calley	Ladd of Holderness
Cate	Parker of Littleton
Harmon	Brackett
Burleigh of Sandwich	Stevens of Lyman
Thompson of Wolfborough	McGrath
Morrill of Boscawen	Little
Smith of Bradford	Pitman
Sanborn of Canterbury	Glines
Bailey of Chichester	Johnson
Carter	Emerton
Wiggin of Epsom	Ballou
Ayer	Haines
Hoit of Northfield	Emery
Page of Sutton	Low
Thompson of Warner	Wheeler of Milan
Chandler	Green
Bailey of Brookline	Young of Stewartstown
Stevens of Goffstown	Day
Jones of Goffstown	Cole
Pierce of Hillsborough	



Those who voted in the negative are—Messrs.

Knight	Morrison of Sanbornton
Robinson of Brentwood	Parrish
Brown of Chester	Wedgewood
Webster	Towle of Freedom
Rawlins of Deerfield	Wentworth
Taylor	Haley
Porter	Beacham
Odlin	Wiggin of Ossipee
Foss of Greenland	Marden
Batchelder of Hampstead	Price
Towle of Hampton	Shute
Sanborn of Hampton Falls	Robinson of Concord
Boyd	Hoit of Concord
Pickering	Gutterson
Currier	Burley of Franklin
Hoitt of Northwood	Knowlton
George of Plaistow	Clough of Loudon
Wiggin of Portsmouth	Gibson of Newbury
Laighton	Flanders
Dennett	George of Salisbury
Treadwell	Pattee
Brown of Raymond	Langley
Thompson of Salem	Wallace of Amherst
Brown of Seabrook	Davis of Antrim
Palmer	Goodale
Clough of Barrington	Bixby of Francestown
Peirce of Dover	Peavey
Christie	Patten of Hancock
Jones of Farmington	Baker of Hillsborough
Allen of Lee	Cross
Buzzell of Middleton	Bixby of Litchfield
Locke of New Durham	Boardman of Lyndeborough
Perkins	Morrison of Manchester
Morrill of Somersworth	McGaw
Mooney	Spalding
Young of Barnstead	Baldwin
Rollins of Barnstead	Ainsworth
Robinson of Gilford	Steele
Leavitt	Barnes
Tebbetts	Colby
Eastman	Swett
Young of Meredith	Coolidge
Curry	Mason of Dublin

Felt	Adams of Springfield
Wheeler of Keene	Jones of Washington
Davis of Keene	Locke of Alexandria
Osgood	Wilcomb
Converse	Prescott
Copeland	Blodgett of Canaan
Mason of Sullivan	Rand
Abbott	Wallace of Franconia
Whitcomb	Adams of Grafton
Tudor	Cheney
Morse	Blaisdell
Humphrey	Weeks of Hill
Hamlin	Clark
Bingham	Savage
Cotton	Perrin
Breck	Buzzell of Ellsworth
Hall of Croydon	Evans
Goldthwait	Goodwin
Cutler	Whidden

## Ayes 85—Noes 124.

So the amendment to the amendment was rejected.

Mr. Beacham moved that the amendment be amended by inserting after the word "Grafton" in the second line, the words "and Carroll", and also by inserting after the word "Grafton" in the third line the words "and Carroll."

And the question being put,

Shall the amendment to the amendment be adopted?

It was decided in the negative.

So the amendment to the amendment was rejected.

The question recurring, shall the amendment proposed by Mr. Stevens of Lyman be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Green moved that the bill be amended by adding at the close of the first section the words following, to wit: "except the clerk of the county of Coos, in which said county of Coos said court shall sit and determine suits in the same way and manner as though this act had not been passed."

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Clark moved that the bill be postponed to the next session of the legislature.

Mr. Ayer moved that the bill lie on the table.

And the question being put,  
It was decided in the negative.

Mr. Hall of Tamworth moved that the motion made by Mr. Clark be amended by adding thereto the words "and that the clerk cause said bill to be published in all the newspapers now by law authorized to publish the public acts and resolves of the legislature of this State, prior to the first day of said session."

Which amendment was accepted by the mover.

And the question being put upon said motion as amended,  
The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Wiggin of Ossipee
Patten of Candia	Thompson of Wolfborough
Taylor	Morgan
Foss of Greenland	Wilson
Towle of Hampton	Knowlton
Sanborn of Hampton Falls	Hoyt of Northfield
Blake	Bailey of Brookline
Thayer	Stevens of Goffstown
Pickering	Jones of Goffstown
Batchelder of North Hampton	Pierce of Hillsborough
Laighton	Farley
Townsend	Bruce
McDuffie	McMillen
Mooney	Swett
Paine	Hamilton
Leavitt	Coolidge
Wight	Batchelder of Marlborough
Tebbetts	Mack
Eastman	Adams of Springfield
Norris	Glidden
Curry	Locke of Alexandria
Calley	Lang
Morrison of Sanbornton	Wilcomb
Cate	Prescott
Wedgewood	Moore
Towle of Freedom	Sanborn of Campton
Burleigh of Sandwich	Blodgett of Canaan
Hall of Tamworth	Blodgett of Dorchester
Lisley	Merrill
Beacham	Wallace of Franconia



Adams of Grafton	Johnson
Cheney	Emerton
Weeks of Hill	Ballou
Clark	Haines
Stevens of Lyman	Emery
Perrin	Low
McGrath	Wheeler of Milan
Goodwin	Green
Peabody	Young of Stewartstown
Pitman	Day
Glines	Cole

Those who voted in the negative are—Messrs.

Knight	Peirce of Dover
Brown of Chester	Christie
Webster	Allen of Lee
Sanborn of Deerfield	Ricker
Rawlings of Deerfield	Buzzell of Middleton
Porter	Varney
Ladd of Epping	Locke of New Durham
Robinson of Exeter	Perkins
Odlin	Foss of Strafford
Batchelder of Hampstead	Morrill of Somersworth
Boyd	Griffin
Vennard	Young of Barnstead
Stickney	Rollins of Barnstead
Currier	Bordman of Gilford
Hoit of Northwood	Robinson of Gilford
Crawford	Young of Meredith
George of Plaistow	Parrish
Robinson of Poplin	Harmon
Waldron	Wentworth
Wiggin of Portsmouth	Marden
Dennett	Price
Treadwell	Morrill of Boscawen
Brown of Raymond	Smith of Bradford
Thompson of Salem	Sanborn of Canterbury
Brown of Seabrook	Bailey of Chichester
Palmer	Carter
Fifield	Robinson of Concord
Morrison of Windham	Hoit of Concord
Clough of Barrington	Gutterson
Sawyer of Dover	Wiggin of Epsom

Burley of Franklin	Parker of Fitzwilliam
Marsh	Bill
Clough of Loudon	Felt
Gibson of Newbury	Wheeler of Keene
Flanders	Davis of Keene
Doe	Osgood
George of Salisbury	Weeks of Richmond
Pattee	Converse
Thompson of Warner	Mason of Sullivan
Langley	Whitcomb
Wallace of Amherst	Baker of Troy
Davis of Antrim	Tudor
Chandler	Morse
Goodale	Butterfield
Bixby of Frankestown	Humphrey
Peavey	Hamlin
Patten of Hancock	Bingham
Baker of Hillsborough	Cotton
Cross	Breck
Bixby of Litchfield	Hall of Croydon
Bordman of Lyndeborough	Moulton
Morrison of Manchester	Goldthwait
Stark	Jones of Washington
Stevens of Mason	Rogers
McGaw	Blaisdell
Sawyer of Nashua	Swasey
Spalding	Ladd of Holderness
Beard	Allen of Lebanon
Baldwin	Lathrop
Ainsworth	Parker of Littleton
Steele	Brackett
Ames	Latham
Barnes	Buzzell of Ellsworth
Kingsbury of Temple	Evans
Woodbury	Whidden
Colby	Little
Mason of Dublin	

Ayes 82. Noes 133.

So the motion did not prevail.

Mr. Cheney moved that the bill be postponed to Saturday next and he made the special order of the day for said Saturday at three o'clock in the afternoon.

And the question being put,  
The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Hamilton
Foss of Greenland	Coolidge
Towle of Hampton	Locke of Alexandria
Batchelder of North Hampton	Lang
Pickering	Wilcomb
McDuffie	Prescott
Mooney	Rand
Paine	Merrill
Leavitt	Cheney
Wight	Clark
Tebbetts	Stevens of Lyman
Curry	Goodwin
Calley	Pitman
Towle of Freedom	Glines
Hall of Tamworth	Johnson
Haley	Emerton
Wiggin of Ossipee	Haines
Knowlton	Emery
Bailey of Brookline	Wheeler of Milan
Farley	Green
Bruce	Young of Stewartstown
McMillen	

Those who voted in the negative are—Messrs.

Knight	Stickney
Patten of Candia	Currier
Brown of Chester	Hoit of Northwood
Webster	Crawford
Sanborn of Deerfield	George of Plaistow
Taylor	Robinson of Poplin
Porter	Wiggin of Portsmouth
Ladd of Epping	Laighton
Robinson of Exeter	Dennett
Odlin	Treadwell
Batchelder of Hampstead	Brown of Raymond
Blake	Thompson of Salem
Thayer	Brown of Seabrook
Boyd	Palmer
Vennard	Fifield



Morrison of Windham  
 Clough of Barrington  
 Sawyer of Dover  
 Peirce of Dover  
 Townsend  
 Christie  
 Allen of Lee  
 Ricker  
 Buzzell of Middleton  
 Varney  
 Locke of New Durham  
 Perkins  
 Foss of Strafford  
 Morrill of Somersworth  
 Young of Barnstead  
 Rollins of Barnstead  
 Bordman of Gilford  
 Robinson of Gilford  
 Young of Meredith  
 Ela  
 Norris  
 Morrison of Sanbornton  
 Parish  
 Cate  
 Harmon  
 Wedgewood  
 Wentworth  
 Burleigh of Sandwich  
 Beacham  
 Thompson of Wolfborough  
 Marden  
 Price  
 Morrill of Boscawen  
 Morgan  
 Smith of Bradford  
 Sanborn of Canterbury  
 Bailey of Chichester  
 Carter  
 Robinson of Concord  
 Moit of Concord  
 Gutterson  
 Wiggin of Epsom  
 Burley of Franklin  
 Marsh  
 Ayer

Clough of Loudon  
 Gibson of Newbury  
 Flanders  
 Hoit of Northfield  
 Doe  
 George of Salisbury  
 Pattee  
 Thompson of Warner  
 Langley  
 Wallace of Amherst  
 Davis of Antrim  
 Chandler  
 Goodale  
 Bixby of Francestown  
 Stevens of Goffstown  
 Jones of Goffstown  
 Peavey  
 Patten of Hancock  
 Baker of Hillsborough  
 Pierce of Hillsborough  
 Cross  
 Bixby of Litchfield  
 Boardman of Lyndeborough  
 Morrison of Manchester  
 Stark  
 McGaw  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth  
 Steele  
 Ames  
 Barnes  
 Kingsbury of Temple  
 Woodbury  
 Colby  
 Swett  
 Mason of Dublin  
 Parker of Fitzwilliam  
 Bill  
 Felt  
 Wheeler of Keene  
 Davis of Keene  
 Batchelder of Marlborough

Mack	Blodgett of Dorchester
Osgood	Wallace of Franconia
Weeks of Richmond	Adams of Grafton
Converse	Blaisdell
Mason of Sullivan	Swasey
Whitcomb	Weeks of Hill
Baker of Troy	Ladd of Holderness
Tudor	Allen of Lebanon
Morse	Lathrop
Butterfield	Savage
Humphrey	Parker of Littleton
Hamlin	Brackett
Bingham	Latham
Cotton	Perrin
Breck	McGrath
Hall of Croyden	Buzzell of Ellsworth
Moulton	Evans
Goldthwait	Whidden
Adams of Springfield	Little
Rogers	Low
Moore	Day
Blodgett of Canaan	Cole

Ayes 43. Noes 164.

So said motion did not prevail.

On the question, shall the bill be read a third time?

It was decided in the affirmative.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Wight, from the joint committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed a bill with the following title, and the following resolutions, to wit :

"An act providing further remedies against fraudulent debtors."

A resolution defining the boundary lines of the town of Pittsburg.

A resolution in favor of Isaac L. Folsom and others.

A resolution in favor of Theodore F. Rowe.

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Ayer.

*Resolved*, That the House are now ready to meet the Senate in convention for the purpose of proceeding in the elections, agreeably to the laws of this State.

*Ordered*, That the Clerk inform the Senate thereof.

### IN CONVENTION.

The Senate and House of Representatives being assembled in convention in the Representatives' Hall,

On motion Mr. Ayer of the House—

The convention proceeded by ballot to the choice of a Warden of the State Prison for the ensuing year, and Lawson Coolidge was elected.

Mr. Perley of the Senate, from the joint select committee appointed to wait upon Josiah Stevens, Jr. and inform him of his election to the office of Secretary of State, upon Zenas Clement and inform him of his election to the office of Treasurer, and upon Theodore F. Rowe and inform him of his election to the office of Commissary General for the ensuing year, reported that they have attended to the duty assigned them, that these gentlemen respectively have signified their acceptance of the several offices to which they have been chosen, and have furnished the requisite bonds, which said bonds are herewith submitted.

Which report was accepted.

On motion of Mr. Gregg of the Senate—

*Resolved*, That the foregoing report be accepted, and that the bonds of the Treasurer and Commissary General be filed with the Secretary of State, and that the bond of the Secretary of State be filed with the Treasurer.

On motion of Mr. McDaniel of the Senate—

The convention rose and the Senate withdrew.

### IN HOUSE OF REPRESENTATIVES.

Mr. Robinson of Concord, by leave, presented the memorial of Philip Carrigain relating to the distribution of his map of New Hampshire,

*Ordered*, That it be referred to the committee on Education.

Mr. Robinson of Concord, by leave, presented the account of John F. Brown.

Mr. Smith of Bradford presented the account of Zenas Clement.

*Ordered*, That said accounts be referred to the committee on Claims.

On motion of Mr. Ayer—



The House resumed the consideration of the bill entitled "An act to divide the State into districts for the choice of Senators.

On motion of Mr. Colby—

*Resolved*, That the rules of the House be so far suspended that the bill be read a second time at the present time.

The bill was then read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Treadwell—

The House resumed the consideration of the report of the committee to whom was referred the bill entitled "An act relating to Railroads, which came down from the Honorable Senate.

The question being upon the adoption of the amendment proposed by Mr. Treadwell, to the resolution reported by said committee, which was to strike out the words "the accompanying bill" as a substitute therefor, and insert instead thereof the words "the same bill without amendment."

Mr. Steele moved that the House do now adjourn.

And the question being put—

It was decided in the negative.

The question recurring—

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

The question being upon the third reading of the bill entitled "An act relating to Railroads," which came down from the Hon. Senate,

On motion—

The House adjourned.

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THURSDAY, JULY 1, 1841.

Mr. Wedgewood presented the account of Asa Fowler.

Mr. Fifield presented the account of Daniel Sanborn.

*Ordered*, That said accounts be referred to the committee on Claims.

Mr. Odlin presented the petition of the Exeter Artillery company praying that said company may be disbanded.

*Ordered*, That said petition be referred to the committee on Military Affairs.

Mr. Morrison of Manchester presented the petition of George W. Parker, praying for the alteration of his name.

*Ordered*, That said petition be referred to the committee on the Alteration of Names.

Mr. Colby from the committee on Agriculture and Manufactures, to whom was referred so much of the message of His Excellency the Governor as relates to a Geological and Mineralogical survey of the State, reported that said committee are of the opinion that there is no necessity for an appropriation for the aforesaid object, and that it is not necessary at this time to legislate upon the subject.

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Cheney, from the committee on the Library, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That Jacob C. Carter be and hereby is appointed Librarian for the ensuing year.

Which was read a first and second time.

On motion of Mr. Treadwell—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Townsend, from the committee on Military Affairs, to whom was referred the petition of Smith M. Glidden and others, praying for an appropriation for musical instruments, made a report.

Whereupon—

*Resolved*, That the further consideration of the petition be postponed to the next session of the Legislature.

Mr. Ferrin, from the committee on Claims, to whom were referred the accounts of William Fisk and others, reported the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That William Fisk be allowed the sum of one hundred and twenty-five dollars and sixteen cents; that Zenas Clement be allowed the sum of thirty dollars and eleven cents; that John F. Brown be allowed the sum of sixty-seven dollars and seventy-four cents, in full of their several accounts, the same

to be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first and second time.

On motion of Mr. Peirce of Dover—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom were referred sundry petitions praying for the removal of certain officers, reported

An address in favor of the removal of certain officers.

Which was read a first and second time.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that the address be read a third time at the present time. ]

The address was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of Edward F. Buckman and others, members of the first company of Infantry in the 42d Regiment of N. H. militia, praying for the removal of an officer, made a further report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the legislature.

Mr. Loughton, from the committee on the Judiciary, to whom was referred the resolution directing an inquiry into the expediency of limiting the chancery powers of the justices of the Superior Court, made a report,

Whereupon—

*Resolved*, That it is inexpedient to legislate upon the subject.

Mr. Parker of Fitzwilliam, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending "An act entitled an act relating to the organization of the courts of justice," reported a bill entitled

"An act in addition to an act relating to the organization of the courts of justice."

Which was read a first time.

*Ordered*, That it be read a second time this forenoon at 11 o'clock.



Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the message of His Excellency the Governor enclosing the memorial of the Directors of the New York Lyceum, with the accompanying documents, made a report,

Whereupon—

*Resolved*, That said memorial and accompanying documents be postponed to the next session of the Legislature.

Mr. Hoyt of Northfield, from the committee on Education, to whom was referred the memorial of Philip Carrigain upon the subject of his map of the State of New Hampshire, reported the following resolution:

*Resolved*, That the Treasurer be authorized to furnish each of the offices of the clerks of the Courts of Common Pleas and Registers of Deeds respectively, that have not heretofore been provided, with one copy of Carrigain's Map of New Hampshire, for the use of said offices, in the State of New Hampshire.

Which was read a first and second time.

The question being upon the third reading of the resolution—  
On motion of Mr. Spalding—

*Ordered*, That the resolution lie on the table.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was referred the petition of the officers of the 14th regiment of N. H. militia, praying for the removal of William H. Alexander, Captain of the fifth company of Infantry in said regiment, reported a bill,

Which was read a first and second time.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

Mr. Baker of Hillsborough, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of limiting the power of pardoning offences, also so much of the report of the committee on the State Prison as relates to the pardon of convicts, made a report, which was read.

Whereupon—

*Resolved*, That the committee be discharged from the further consideration of the subject.

Mr. Blake, from the committee on Military Affairs, to whom was referred the bill entitled "An act relating to the organization of the first artillery company in the thirty-second regiment of N. H. militia," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be indefinitely postponed.

Mr. Sawyer of Nashua, from the committee on the Judiciary, to whom was referred the bill entitled "An act authorizing the stewards of churches to hold lands for certain purposes," made a report,

Whereupon—

*Resolved*, That the further consideration of said bill be postponed to the next session of the Legislature.

Mr. Baker of Hillsborough, from the committee on the Judiciary, who were instructed to report the facts in the case of the application of the Eastern Railroad, for an injunction against John Philbrook, made a report, which was read, and is as follows :

The committee on the Judiciary who were instructed to report the facts in the case of the application of the Eastern Railroad for an injunction against John Philbrook, submit the following as the result of their inquiries :

The Eastern Railroad seized the land of John Philbrook, Nov. 1839. At the Feb. term of the Court of Common Pleas 1840, Philbrook petitioned for a committee to appraise the damages. The committee consisting of David A. Gregg, John Kelley, and Dudley Freese, examined the premises, and at the Sept. term of the Court reported \$1000 damages and costs. Philbrook proposed to accept the report, but Mr. Hackett, attorney for the corporation, said, that though he did not know whether the corporation would appeal, he was desirous that the case might stand continued. At the Feb. term of the Court, 1841, the case was called, and Mr. Hackett informed Messrs. Bell and Tuck, attorneys for Philbrook, that the corporation intended to take an appeal. The last day of the term, Mr. Tuck informed Mr. Hackett that no appeal was on file ; and at the close of the term, the Clerk of the Court searched the files, and gave a certificate that no appeal was to be found. The case stood continued as before.

March 15, 1841, Philbrook gave notice to the corporation that he should take possession of the road, as provided by the statute, till his damages were paid. March 29, 1841, an injunction was served upon Philbrook, restraining him till April 13, 1841, and summoning him to appear before Hon. Nathaniel G. Upham, one of the Judges of the Superior Court, to shew cause, why the injunction should not be continued. April 13, 1841, the parties appeared. Mr. Hackett offered an affidavit, that he filed an appeal at the Feb. term preceding, though the certificate of the Clerk denied that there was any on file. Judge Upham ruled, that the affidavit of Mr. Hackett should be received as evidence, that an appeal had been filed ; and upon hearing the parties, ordered the injunction to be continued. It was also ruled that the

act of Dec. 23, 1840, applied only to those cases in which land had been taken prior to the passage of the act, and in which no application had been made for the appointment of a committee.

It will be seen at once, that such a construction of the statute, does not reach the evil intended.

A. BAKER, for the Committee.

On motion—

*Resolved*, That the report be accepted.

Mr. Humphrey, from the committee on Incorporations, to whom were referred the memorial of Edward Tredick and 175 others, the memorial of Jonathan Young and 6 others, the memorial of John Haynes and 21 others, the memorial of John Allen and 36 others, the memorial of Jonathan G. Jordan and 19 others, the memorial of Samuel Giles and 29 others, the memorial of Joshua Roberts and 21 others, the memorial of Horace Lyman and 16 other, the memorial of Calvin Russell and 13 others, the memorial of Thomas Sabine and 24 others, the memorial of Ira Haskell and 11 others, the memorial of Mark R. Jewett and 56 others, the memorial of Abner Sanger and 49 others, the memorial of John Cilley and 82 others, the memorial of Freeman Clark and 21 others, and the memorial of Dudley Smith and 18 others, members of the Rockingham Mutual Fire Insurance Company remonstrating against the repeal of so much of the act of June 26, 1838, as authorizes the members thereof to vote by proxy, made a report,

Whereupon—

*Resolved*, That the memorialists have leave to withdraw their respective memorials.

Mr. Bordman of Gilford, from the committee on Banks, to whom was referred the bill entitled "An act to limit the liability of Bank Directors, and to prohibit officers of banks from receiving compensation for services in certain cases," with instructions to fill the blanks therein, reported the same bill with an amendment.

On the question, shall said amendment be adopted?

It was decided in the affirmative.

Mr. Blaisdell offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So said amendment was adopted.

On motion of Mr. Spalding—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was read a third time,



*Resolved,* That the bill pass and that its title be as aforesaid.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Morrison of Manchester—

*Resolved,* That the rules of the House be so far suspended that the bill entitled “An act to alter the names of certain persons,” be now taken up and disposed of.

The House accordingly resumed the consideration of said bill.

On motion of Mr. Parker of Fitzwilliam—

*Ordered,* That the bill be recommitted to the committee on the Alteration of Names.

The House resumed the consideration of the unfinished business of yesterday upon the bill entitled “An act relating to Railroads,” which came down from the Hon. Senate.

The question being upon the third reading of said bill.

Mr. Peirce of Dover moved that the bill be amended by adding at the close of the first section of said bill, the words following, to wit :

“Unless said Railroad corporation shall appeal from the order of said town or of said selectmen to the Court of Common Pleas for the county where said road is situated, and enter their said appeal at the next term of said court, and at said court give bond with sufficient sureties, to do and perform all that said court may order and direct in the premises, and said court are hereby authorized either by themselves, or a committee to be by them appointed to examine the premises and make such order thereon as they may judge the public good requires.”

Mr. Sawyer of Dover moved that the bill be postponed to the next session of the Legislature.

And the question being put,

It was decided in the negative.

The question recurring upon the adoption of the amendment offered by Mr. Peirce of Dover.

It was decided in the negative.

So the amendment was rejected.

On the question, shall the bill be read a third time ?

It was decided in the affirmative.

*Ordered,* That the bill be read a third time to morrow afternoon at three o'clock.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills of the following titles, and the following resolutions, to wit :

"An act making further provisions in relation to the trustees of debtors."

"An act providing further remedies against fraudulent debtors."

"An act for the punishment of frauds."

"An act to prevent the destruction of fish in the Winnipisseogee Lake and the Bays of the Winnipisseogee River."

"An act providing for the compensation of the officers of the civil list."

A resolution defining the boundary lines of the town of Pittsburgh.

The Senate have passed a resolution in relation to the examination of the savings institutions established in this State, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing resolution which came down from the Hon. Senate.

Which was read a first time.

*Ordered*, That it be read a second time to-morrow forenoon at 11 o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a resolution in favor of Isaac L. Folsom and others.

The Senate have passed a bill entitled "An act in amendment of an act entitled an act in addition to an act entitled an act to incorporate the Rockingham Mutual Fire Insurance company, approved June 26, 1838," in which they ask the concurrence of the House.

The Senate concur with the House of Representatives in the passage of a resolution in favor of Theodore F. Rowe."

The House proceeded to the consideration of the foregoing bill, which came down from the Hon. Senate.

Which was read a first and second time.

Mr. Sawyer of Dover offered an amendment to the bill.

And on the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Repre-

sentatives in the passage of bills with the following titles, and the following resolution, to wit :

"An act to incorporate the Concord Volunteers."

"An act relating to the public money deposited with the several towns in this State."

"An act in addition to and in amendment of an act passed 24th December, 1840, entitled "An act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."

"An act requiring a bond of the Adjutant General."

"An act changing the time of holding the Court of Common Pleas in Coos County."

A resolution directing the consolidation of the third and seventh companies of Infantry in the sixteenth regiment.

The Senate have passed a bill entitled "An act relating to Railroads," in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate.

Which was read a first time and second.

Mr. Swasey moved that the bill be amended by striking out the last section thereof.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill with the following title, and the following resolution :

"An act to annex a part of school district No. sixteen in Haverhill to school district No. eleven in Bath."

A resolution appropriating one hundred dollars for the erection of a gun house for the use of the artillery company in the second regiment.

The Senate have passed a bill entitled "An act in addition to an act entitled "An act to incorporate the Amoskeag Falls Bridge," in which they ask the concurrence of the House."

The House proceeded in the order of the day upon the foregoing bill which came down from the Hon. Senate.

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded to the order of the day upon the bill



entitled "An act in favor of Light Infantry and other companies in this State."

Mr. Flanders offered an amendment to the bill.

And the question being put—

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Morrison of Manchester offered a further amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

*Ordered*, That the bill be read a third time tomorrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act to unite school district No. 6 in Epsom, with the Republican school district in Pittsfield."

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

The House proceeded in the order of the day upon the bill entitled "An act relating to the organization of courts of justice."

Which was read a second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

"An act to provide for the appointment of additional officers of the Portsmouth Artillery."

"An act to unite certain Railroad Corporations with the Boston and Maine Railroad."

"An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation," with an amendment, in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill with the amendment which came down from the Hon. Senate.

On motion of Mr. Ayer—

*Resolved*, That the House concur in said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

Pursuant to previous notice and by leave,

Mr. McGrath introduced a bill entitled "An act in addition to and in amendment of an act entitled an act in addition to and in amendment of an act entitled an act in relation to the militia, passed July 3d, 1338."

Which was read a first and second time.

*Ordered,* That the bill be read a third time to-morrow afternoon at three o'clock.

Pursuant to previous notice and by leave,—

Mr. Griffin introduced a bill entitled "An act establishing the times and places of holding courts of Probate in the County of Strafford."

Which was read a first and second time.

*Ordered,* That the bill be read a third time to-morrow afternoon at three o'clock.

Pursuant to previous notice and by leave—

Mr. Stevens of Mason introduced a bill entitled "An act to incorporate Engine Company No. 1, in Mason Village."

Which was read a first and second time.

*Ordered,* That it be read a third time to-morrow afternoon at three o'clock.

Mr. Wight, from the committee on Engrossed bills, reported that they have carefully examined and find correctly engrossed, bills of the following titles, to wit:

"An act in addition to and in amendment of an act passed 24 December, 1840, entitled an act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."

"An act changing the time of holding the Court of Common Pleas in Coos County."

"An act requiring a bond of the Adjutant General."

"An act relating to the public money deposited with the several towns in this State."

"An act to incorporate the Concord Volunteers."

"An act for the punishment of frauds."

Which were severally signed by the Speaker.

*Ordered,* That the Clerk inform the Senate thereof.

Pursuant to previous notice and by leave—

Mr. Adams of Springfield introduced a bill entitled "An act to alter the time of calling out the militia for inspection."

Which was read a first and second time.

Mr. Flanders moved that the bill be amended by striking out the words "the third Tuesday of May," and inserting instead thereof the words "the first Tuesday of June."

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Adams of Springfield offered an amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Baker of Hillsborough—

*Resolved,* That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved,* That it pass and that its title be as aforesaid.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

Mr. Stark submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened,* That the Secretary of State be directed to procure the printing of the public acts and resolves in the Manchester Representative, a newspaper printed at Manchester, in the county of Hillsborough.

Which was read a first and second time.

*Ordered,* That the resolution be read a third time to-morrow afternoon at three o'clock.

Mr. Smith of Bradford submitted sundry resolutions providing for repairs of military carriages, guns and harnesses.

Which were read a first and second time.

*Ordered,* That they be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Haley—

*Resolved,* That a committee be appointed on the part of the House with such as the Senate may join, to wait upon Lawson Coolidge, inform him of his election to the office of Warden of the State Prison, and if he accept the same to receive of him the customary bond, and to inform His Excellency the Governor of said appointment.

*Ordered,* That Messrs. Haley, Smith of Bradford and Parker of Fitzwilliam be the committee on the part of the House.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

Pursuant to previous notice and by leave—

Mr. Morrison of Manchester introduced a bill entitled "An act giving further powers to Justices of the Peace."

Which was read a first and second time.



On motion of Mr. Morrison of Manchester—

*Ordered*, That it be referred to the committee on the Judiciary.

Pursuant to previous notice and by leave—

Mr. Glidden introduced a bill entitled "An act to incorporate the President, Directors and Company of the Sullivan County Bank."

Which was read a first and second time.

Mr. Baker of Hillsborough offered an amendment to the bill.

On motion of Mr. Smith of Bradford—

*Ordered*, That the bill lie on the table.

Mr. Young of Meredith introduced the following resolution:

*Resolved by the Senate and House of Representatives in General Court convened*, That the commanding officer of the Winnipisseogee Guards, a company of Light Infantry, and attached to the twenty-ninth regiment of militia in this State, be and hereby are authorized to enlist and enrol from any company of infantry in Gifford or Gilmanton in this State which is attached to the tenth regiment of militia, fifteen soldiers who shall be hereafter attached and make a part of said Winnipisseogee Guards in said twenty-ninth regiment of militia, any law or usage to the contrary notwithstanding.

Which was read a first and second time.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

Pursuant to previous notice and by leave—

Mr. Young of Meredith introduced a bill entitled "An act to establish a new organization of the Court of Common Pleas."

Which was read a first and second time.

On motion of Mr. Young of Meredith—

*Ordered*, That said bill be referred to the committee on the Judiciary.

Agreeably to a resolution of the House—

Mr. Morrison of Manchester introduced a bill entitled "An act to incorporate the Amoskeag Savings Society."

Which was read a first time.

*Ordered*, That the bill be read a second time to-morrow forenoon at 11 o'clock.

On motion of Mr. Griffin—

*Resolved*, That the thanks of this House be presented to the several Reverend clergymen for the able and satisfactory manner in which they have discharged the duties of Chaplains the present session.

On motion of Mr. Cate—

The House adjourned.

## AFTERNOON.

On motion of Mr. Ela—

The House resumed the consideration of the bill entitled "An act establishing salaries of the justices of the Superior Court of Judicature."

The question being upon the adoption of the amendment to said bill offered by Mr Pickering, which was by striking out the word "sixteen" in the fifth line of the first section of said bill, and inserting instead thereof the word "fourteen."

It was decided in the negative.

So the amendment was rejected.

*Ordered*, That the bill be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Thurston—

The House resumed the consideration of the bill entitled "An act to sever a tract of land lying partly in the county of Strafford and partly in the county of Belknap from the towns of New Durham and Alton and from the counties of Strafford and Belknap and annex the same to the town of Wolfborough in the county of Carroll."

On motion of Mr. Mooney—

*Resolved*, That said bill be postponed to the second Wednesday of the next session of the Legislature, and that the petitioner notify the several towns interested by serving upon each town a copy of said petition with this order thereon, prior to the first day of February next.

Mr. Griffin moved that the bill entitled "An act to incorporate the Freewill Baptist Book concern," be now taken up and disposed of.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Patten of Candia

Noyes

Webster

Taylor

Porter

Robinson of Exeter

Odlin

Sanborn of Hampton Falls

Blake

Thayer

Boyd

Vennard

Stickney

Currier

Wiggin of Portsmouth

Brown of Seabrook

Clough of Barrington

Sawyer of Dover

Peirce of Dover  
Townsend  
Jones of Farmington  
Ricker  
Witham  
Torr  
Morrill of Somersworth  
Griffin  
McDuffie  
Mooney  
Bordman of Gilford  
Wight  
Tebbetts  
Norris  
Curry  
Calley  
Morrison of Sanbornton  
Parrish  
Cate  
Towle of Freedom  
Wentworth  
Burleigh of Sandwich  
Hall of Tamworth  
Beacham  
Thompson of Wolfborough  
Thurston  
Price  
Morrill of Boscawen  
Smith of Bradford  
Carter  
Burley of Franklin  
Knowlton  
Clough of Loudon  
Gibson of Newbury  
Flanders  
Doe  
Langley  
Wallace of Amherst  
Bixby of Frances town  
Pierce of Hillsborough  
Stevens of Mason  
McGaw

Putnam  
Bruce  
Sawyer of Nashua  
Spalding  
Baldwin  
Ainsworth  
Steele  
Ames  
Kingsbury of Temple  
Whitemore  
Hamilton  
Cooledge  
Mason of Dublin  
Parker of Fitzwilliam  
Felt  
Wheeler of Keene  
Davis of Keene  
Batchelder of Marlborough  
Osgood  
Converse  
Rawson  
Mason of Sullivan  
Abbot  
Baker of Troy  
Tudor  
Butterfield  
Humphrey  
Hamlin  
Cotton  
Breck  
Hall of Croydon  
Prentiss  
Glidden  
Wilcomb  
Moore  
Wallace of Franconia  
Cheney  
Blaisdell  
Parker of Littleton  
Brackett  
Whidden  
Wheeler of Milan



Those who voted in the negative are—Messrs.

Knight	Jones of Goffstown
Sanborn of Deerfield	Peavey
Rawlings of Deerfield	Patten of Hancock
Ladd of Epping	Baker of Hillsborough
Foss of Greenland	Farley
Batchelder of Hampstead	Cross
Towle of Hampton	Bordman of Lyndeborough
Pickering	McMillen
Batchelder of North Hampton	Gibson of Pelham
Crawford	Barnes
George of Plaistow	Woodbury
Laighton	Colby
Dennett	Swett
Treadwell	Mack
Brown of Raymond	Weeks of Richmond
Garland	Copeland
Allen of Lee	Whitcomb
Buzzell of Middleton	Moulton
Locke of New Durham	Goldthwait
Perkins	Cutler
Young of Barnstead	Adams of Springfield
Rollins of Barnstead	Jones of Washington
Paine	Rogers
Leavitt	Locke of Alexandria
Ela	Lang
Wedgewood	Prescott
Haley	Sanborn of Campton
Wiggin of Ossipee	Blodgett of Canaan
Morgan	Page of Benton
Sanborn of Canterbury	Rand
Hoit of Concord	Blodgett of Dorchester
Guttersen	Merrill
Marsh	Swasey
Wilson	Smith of Haverhill
Hoyt of Northfield	Weeks of Hill
Pattee	Clark
Thompson of Warner	Savage
Davis of Antrim	Perrin
Chandler	McGrath
Bailey of Brookline	Evans
Goodale	Little

Peabody	Haines
Pitman	Emery
Johnson	Low
Emerton	Day
Ballou	Cole

Ayes 102. Noes 92.

So the House resumed the consideration of said bill.

The question recurring upon the motion of Mr. Baker of Hillsborough that said bill be indefinitely postponed.

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Knight	Wedgewood
Ladd of Epping	Towle of Freedom
Foss of Greenland	Haley
Batchelder of Hampstead	Wiggin of Ossipee
Towle of Hampton	Scribner
Pickering	Morgan
Currier	Sanborn of Canterbury
Batchelder of North Hampton	Bailey of Chichester
Crawford	Hoit of Concord
George of Plaistow	Gutterson
Laighton	Wiggin of Epsom
Dennett	Marsh
Treadwell	Ayer
Brown of Raymond	Wilson
Garland	Knowlton
Thompson of Salem	Clough of Loudon
Allen of Lee	Hoit of Northfield
Buzzell of Middleton	Doe
Locke of New Durham	Pattee
Perkins	Thompson of Warner
Young of Barnstead	Langley
Rollins of Barnstead	Davis of Antrim
Paine	Chandler
Robinson of Gilford	Bailey of Brookline
Leavitt	Goodale
Young of Meredith	Jones of Goffstown
Ela	Peavey
Curry	Patten of Hancock
Calley	Baker of Hillsborough
Morrison of Sanbornton	Pierce of Hillsborough

Farley	Sanborn of Campton
Cross	Blodgett of Canaan
Boardman of Lyndeborough	Page of Benton
Morrison of Manchester	Rand
Stark	Blodgett of Dorchester
McMillen	Merrill
Gibson of Pelham	Swasey
Barnes	Smith of Haverhill
Woodbury	Weeks of Hill
Colby	Clark
Whittemore	Savage
Swett	Perrin
Mack	McGrath
Weeks of Richmond	Evans
Copeland	Little
Whitcomb	Peabody
Moulton	Pitman
Goldthwait	Glines
Cutler	Emerton
Adams of Springfield	Ballou
Glidden	Haines
Jones of Washington	Emery
Rogers	Low
Locke of Alexandria	Young of Stewartstown
Lang	Day
Prescott	Cole

Those who voted in the negative are—Messrs.

Robinson of Brentwood	Hoitt of Northwood
Noyes	Wiggin of Portsmouth
Brown of Chester	Brown of Seabrook
Webster	Fifield
Sanborn of Deerfield	Clough of Barrington
Rawlins of Deerfield	Sawyer of Dover
Taylor	Pierce of Dover
Porter	Townsend
Robinson of Exeter	Christie
Odlin	Jones of Farmington
Sanborn of Hampton Falls	Ricker
Blake	Varney
Thayer	Witham
Boyd	Torr
Vennard	Foss of Strafford
Stickney	Morrill of Somersworth



Griffin	Hamilton
McDuffie	Coolidge
Mooney	Mason of Dublin
Bordman of Gilford	Parker of Fitzwilliam
Wight	Felt
Tebbetts	Wheeler of Keene
Norris	Davis of Keene
Parrish	Batchelder of Marlborough
Cate	Osgood
Wentworth	Converse
Burleigh of Sandwich	Rawson
Hall of Tamworth	Mason of Sullivan
Beacham	Abbott
Thompson of Wolfborough	Baker of Troy
Thurston	Tudor
Price	Morse
Morrill of Boscawen	Butterfield
Smith of Bradford	Humphrey
Shute	Hamlin
Carter	Bingham
Burley of Franklin	Cotton
Gibson of Newbury	Breck
Flanders	Hall of Croydon
Wallace of Amherst	Prentiss
Bixby of Francestown	Wilcomb
Stevens of Mason	Moore
McGaw	Wallace of Franconia
Putnam	Adams of Grafton
Bruce	Cheney
Sawyer of Nashua	Blaisdell
Spalding	Ladd of Holderness
Beard	Parker of Littleton
Baldwin	Brackett
Ainsworth	Buzzell of Ellsworth
Steele	Whidden
Ames	Wheeler of Milan
Kingsbury of Temple	Green
Kingsbury of Alstead	

Ayes 112—Noes 107.

So said bill was indefinitely postponed.

On motion of Mr. Porter—

The House resumed the consideration of the report of the committee on Towns and Parishes, to whom were referred the

petition of Benjamin Clendennin and eighty others, praying for a division of the town of Salem into two distinct towns ; Also the memorial of Frederick W. Bailey and 170 others remonstrating against granting the prayer of said petition.

The question being upon the passage of the resolution reported by said committee.

Mr. Porter moved that said resolution be amended by striking out all after the word "Resolved," and inserting instead thereof the words following, to wit: "that said petition and remonstrance be postponed for consideration to the first Tuesday of the next session of the legislature, and that the petitioners cause notice of the pendency of said petition and the passage of this resolution thereon to be given to the said town of Salem by leaving with the town clerk thereof a true and attested copy of said petition and this resolution on or before the first day of February next."

Which amendment was adopted.

And the question being put,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Young of Meredith from the committee on Military Affairs, to whom was referred the petition of the officers and soldiers of the Exeter Artillery Company, by leave, made a report,

Whereupon—

*Resolved*, That said petition be postponed to the next session of the legislature.

On motion of Mr. Flanders—

*Resolved*, That the committee on the State House and State House yard be instructed to inquire whether any, and if any, what further measures are necessary to protect the cupola, and roof of the State House from injury by persons climbing upon and over the same.

On motion of Mr. Chandler—

The House resumed the consideration of the bill entitled "An act in addition to and in amendment of an act entitled an act to incorporate the Granite Bridge, passed June 1839."

On motion of Mr. Ayer—

*Resolved*, That the further consideration of the bill be postponed to the next session of the Legislature, and that the petitioners cause the towns of Bedford and Manchester and the Amoskeag Manufacturing Company to be notified of the pendency of said bills two months previous to the first Wednesday of June next.

On motion of Mr. Sawyer of Nashua—

The House resumed the consideration of the bill entitled "An

act to incorporate the Campton Village Manufacturing Company.”  
Mr. Sawyer of Nashua withdrew his amendment to said bill.

*Ordered*, That it be read a third time to-morrow afternoon at three o'clock.

On motion of Mr. Smith of Bradford—

The House resumed the consideration of the bill entitled “An act relating to Railroads,” which came down from the Hon. Senate.

Mr. Swasey withdrew his amendment to said bill.

Mr. Smith of Bradford offered an amendment to the bill.

And the question being put,

Shall said amendment be adopted.

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Morrison of Manchester.

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded to the order of the day upon the following resolutions, and bills of the following titles, to wit :

A resolution directing a copy of the laws, journals and other public documents of this State to be furnished to the New-York Historical Society.

A resolution in favor of Reuben G. Wyman and others.

“An act altering the times and places for holding Courts of Probate in the county of Hillsborough.”

“An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in the town of Somersworth.”

“An act to divide the State into districts for the choice of Senators.”

“An act making appropriations for the Militia of this State for the year 1841.”

“An act to incorporate the Concord East Village Fire Engine Company.”

“An act to incorporate the New Hampshire Farmer’s Mutual Fire Insurance Company.”

“An act securing to mechanics and laborers a lien on buildings, ships and other vessels.”

Which were severally read a third time.

*Resolved*, That they pass and that the titles of the bills be as aforesaid.



*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act in addition to and in amendment of an act entitled an act to constitute the counties of Belknap and Carroll, passed Dec. 23, 1840."

Which was read a third time.

On motion of Mr. Blodgett of Canaan—

*Ordered*, That said bill be put upon its second reading.

Mr. Blodgett of Canaan offered an amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

The question recurring,

Shall said bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Blodgett of Canaan—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act prescribing the times and places of holding the terms of the Superior Court of Judicature."

Which was read a third time.

On the question, shall the bill pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Noyes  
Brown of Chester  
Webster  
Taylor  
Porter  
Boyd  
Vennard  
Stickney  
Treadwell  
Sawyer of Dover  
Peirce of Dover

Christie  
Ricker  
Young of Meredith  
Ela  
Wentworth  
Morrill of Boscawen  
Smith of Bradford  
Shute  
Carter  
Guttersen  
Burley of Franklin

Ayer  
 Flanders  
 Doe  
 Pattee  
 Davis of Antrim  
 Bixby of Francestown  
 Patten of Hancock  
 Morrison of Manchester  
 Putnam  
 Sawyer of Nashua  
 Spalding  
 Beard  
 Baldwin  
 Ainsworth  
 Steele  
 Ames  
 Barnes  
 Kingsbury of Temple  
 Colby

Hamilton  
 Parker of Fitzwilliam  
 Wheeler of Keene  
 Osgood  
 Converse  
 Mason of Sullivan  
 Tudor  
 Butterfield  
 Humphrey  
 Hamlin  
 Bingham  
 Cotton  
 Breck  
 Hall of Croyden  
 Blaisdell  
 Swasey  
 Allen of Lebanon  
 Brackett

Those who voted in the negative are—Messrs.

Robinson of Brentwood  
 Sanborn of Deerfield  
 Rawlins of Deerfield  
 Ladd of Epping  
 Robinson of Exeter  
 Odlin  
 Foss of Greenland  
 Batchelder of Hampstead  
 Towle of Hampton  
 Sanborn of Hampton Falls  
 Blake  
 Thayer  
 Pickering  
 Carrier  
 Batchelder of North Hampton  
 Hoyt of Northwood  
 Crawford  
 George of Plaistow  
 Robinson of Poplin  
 Wiggin of Portsmouth  
 Loughton  
 Dennett  
 Brown of Raymond

Garland  
 Thompson of Salem  
 Brown of Seabrook  
 Fifield  
 Clough of Barrington  
 Townsend  
 Jones of Farmington  
 Allen of Lee  
 Buzzell of Middleton  
 Varney  
 Locke of New Durham  
 Witham  
 Torr  
 Perkins  
 Foss of Strafford  
 Morrill of Somersworth  
 McDuffie  
 Mooney  
 Young of Barnstead  
 Paine  
 Bordman of Gifford  
 Robinson of Gifford  
 Leavitt

Wight  
 Tebbetts  
 Eastman  
 Norris  
 Curry  
 Calley  
 Morrison of Sanbornton  
 Parrish  
 Cate  
 Wedgewood  
 Towle of Freedom  
 Burleigh of Sandwich  
 Hall of Tamworth  
 Haley  
 Beacham  
 Wiggins of Ossipee  
 Thompson of Wolfborough  
 Thurston  
 Marden  
 Scribner  
 Morgan  
 Sanborn of Canterbury  
 Bailey of Chichester  
 Hoit of Concord  
 Wiggin of Epsom  
 Wilson  
 Knowlton  
 Clough of Loudon  
 Gibson of Newbury  
 Hoyt of Northfield  
 Page of Sutton  
 Thompson of Warner  
 Langley  
 Wallace of Amherst  
 Chandler  
 Bailey of Brookline  
 Goodale  
 Stevens of Goffstown  
 Jones of Goffstown  
 Peavey  
 Baker of Hillsborough  
 Pierce of Hillsborough  
 Farley  
 Cross  
 Boardman of Lyndeborough

Stark  
 Stevens of Mason  
 Bruce  
 McMillen  
 Gibson of Pelham  
 Woodbury  
 Whittemore  
 Kingsbury of Alstead  
 Coolidge  
 Bill  
 Batchelder of Marlborough  
 Mack  
 Weeks of Richmond  
 Copeland  
 Abbott  
 Whitcomb  
 Baker of Troy  
 Morse  
 Willey  
 Moulton  
 Prentiss  
 Goldthwaite  
 Cutler  
 Adams of Springfield  
 Glidden  
 Rogers  
 Locke of Alexandria  
 Lang  
 Wilcomb  
 Prescott  
 Moore  
 Sanborn of Campton  
 Blodgett of Canaan  
 Page of Benton  
 Rand  
 Blodgett of Dorchester  
 Merrill  
 Wallace of Franconia  
 Adams of Grafton  
 Cheney  
 Smith of Haverhill  
 Ferrin  
 Weeks of Hill  
 Ladd of Holderness  
 Clark



Savage	Glines
Stevens of Lyman	Johnson
Perrin	Emerton
McGrath	Ballou
Buzzell of Ellsworth	Haines
Evans	Emery
Dearborn	Low
Goodwin	Wheeler of Milan
Whidden	Green
Little	Young of Stewartstown
Peabody	Day
Pitman	Cole

Ayes 59. Noes 160.

So the bill was denied a third reading.

On motion of Mr. Treadwell—

The House resumed the consideration of the bill entitled "An act for the promotion of Education."

On motion of Mr. Wedgewood—

*Resolved*, That said bill be indefinitely postponed.

A message from the Senate by their Clerk.

"Mr. Speaker—the Senate have passed a resolution appointing Jacob C. Carter Librarian for the ensuing year—in which they ask the concurrence of the House.

The Senate concur with the House of Representatives in the passage of a bill entitled "An act to divide the county of Grafton into two judicial districts," with an amendment in which they ask the concurrence of the House."

Mr. Dearborn moved that the House non-concur with the Senate in the adoption of said amendment—which was by striking out the ninth section of said bill.

And the question being put,

It was decided in the negative.

Mr. Blodgett of Canaan moved that the House concur with the Senate in the adoption of said amendment.

The question being put,

It was decided in the affirmative.

So the House concurred with the Senate in the adoption of said amendment.

On motion of Mr. Baker of Hillsborough—

The House resumed the consideration of the bill entitled "An

act to incorporate the President, Directors and company of the Sullivan County Bank."

Mr. Morrison of Manchester moved that the bill be amended by adding thereto the following section, to wit:

"SECTION 14. *And be it further enacted*, That said Bank shall not issue or put in circulation any bill or note from said bank of a less denomination than five dollars, or between five and ten or ten and twenty dollars."

Mr. Baker of Hillsborough moved that the amendment be amended by adding thereto the words following: "nor shall any bank now incorporated or which shall hereafter be incorporated issue a note of a less denomination than five dollars."

And the question being put,

Shall the amendment to the amendment be adopted?

It was decided in the negative.

So the amendment to the amendment was rejected.

The question recurring—

Shall the amendment be adopted?

Mr. Morrison of Manchester called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Sanborn of Deerfield	Rogers
Treadwell	Locke of Alexandria
Jones of Farmington	Page of Benton
Ela	Rand
Smith of Bradford	Wallace of Franconia
Sanborn of Canterbury	Savage
Wilson	Perrin
Pattee	Peabody
Chandler	Ballou
Morrison of Manchester	Young of Stewartstown
McMillen	

Those who voted in the negative are—Messrs.

Knight	Robinson of Exeter
Robinson of Brentwood	Foss of Greenland
Noyes	Batchelder of Haverstead
Brown of Chester	Towle of Hampton
Webster	Sanborn of Hampton Falls
Rawlins of Deerfield	Blake
Taylor	Boyd
Porter	Vennard
Ladd of Epping	Pickering

Stickney	Thompson of Wolfborough
Currier	Thurston
Batchelder of North Hampton	Marden
Hoit of Northwood	Scribner
Crawford	Price
George of Plaistow	Morrill of Boscawen
Robinson of Poplin	Morgan
Wiggin of Portsmouth	Bailey of Chichester
Laighton	Shute
Dennett	Carter
Brown of Raymond	Hoit of Concord
Brown of Seabrook	Gutterson
Morrison of Windham	Wiggin of Epsom
Clough of Barrington	Burley of Franklin
Sawyer of Dover	Marsh
Peirce of Dover	Ayer
Townsend	Knowlton
Christie	Gibson of Newbury
Allen of Lee	Flanders
Ricker	Hoit of Northfield
Buzzell of Middleton	Doe
Varney	Page of Sutton
Locke of New Durham	Thompson of Warner
Perkins	Langley
Foss of Strafford	Wallace of Amherst
Griffin	Davis of Antrim
McDuffie	Bailey of Brookline
Mooney	Goodale
Rollins of Barnstead	Bixby of Francestown
Bordman of Gilford	Stevens of Goffstown
Robinson of Gilford	Jones of Goffstown
Leavitt	Peavey
Wight	Patten of Hancock
Norris	Baker of Hillsborough
Curry	Pierce of Hillsborough
Calley	Farley
Parish	Boardman of Lyndeborough
Cate	Stark
Wedgewood	Stevens of Mason
Towle of Freedom	Sawyer of Nashua
Wentworth	Spalding
Burleigh of Sandwich	Beard
Hall of Tamworth	Baldwin
Haley	Ainsworth
Beacham	Gibson of Pelham
Wiggin of Ossipee	Steele



Ames	Cutler
Barnes	Adams of Springfield
Kingsbury of Temple	Glidden
Woodbury	Jones of Washington
Colby	Lang
Whittemore	Wilcomb
Kingsbury of Alstead	Prescott
Coolidge	Moore
Mason of Dublin	Sanborn of Campton
Parker of Fitzwilliam	Blodgett of Canaan
Bill	Blodgett of Dorchester
Davis of Keene	Merrill
Wheeler of Keene	Cheney
Batchelder of Marlborough	Swasey
Mack	Smith of Haverhill
Osgood	Weeks of Hill
Weeks of Richmond	Ladd of Holderness
Converse	Clark
Copeland	Allen of Lebanon
Mason of Sullivan	Brackett
Abbott	Stevens of Lyman
Whitcomb	McGrath
Baker of Troy	Evans
Tudor	Dearborn
Morse	Whidden
Butterfield	Little
Humphrey	Glines
Bingham	Emery
Cotton	Low
Breck	Wheeler of Milan
Hall of Croyden	Green
Wiley	Day
Prentiss	Cole
Goldthwait	

Ayes 21. Noes 177.

So the amendment was rejected.

Mr. Morrison of Manchester moved that the bill be amended by adding thereto the following :

*"And be it further enacted, That said bank shall not issue or have in circulation at any one time bills or notes of said bank to more than double the amount of specie and current bank bills of other banks actually in and owned by said bank."*

On the question, shall said amendment be adopted?  
Mr. Morrison of Manchester called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Sanborn of Deerfield	Barnes
Ladd of Epping	Hail of Croydon
Dennett	Adams of Springfield
Jones of Farmington	Rogers
Ela	Merrill
Page of Sutton	Swasey
Pattee	Savage
Chandler	Ballou
Morrison of Manchester	Young of Stewartstown

Those who voted in the negative are—Messrs.

Knight	Morrison of Windham
Robinson of Brentwood	Clough of Barrington
Noyes	Sawyer of Dover
Brown of Chester	Townsend
Webster	Christie
Rawlings of Deerfield	Allen of Lee
Taylor	Ricker
Porter	Buzzell of Middleton
Foss of Greenland	Varney
Batchelder of Hampstead	Locke of New Durham
Towle of Hampton	Perkins
Blake	Griffin
Boyd	McDuffie
Vennard	Mooney
Pickering	Rollins of Barnstead
Stickney	Robinson of Gilford
Batchelder of North Hampton	Leavitt
Hoit of Northwood	Wight
Crawford	Tebbetts
George of Plaistow	Eastman
Robinson of Pelin	Young of Meredith
Wiggin of Portsmouth	Norris
Laighton	Curry
Treadwell	Calley
Brown of Raymond	Cate
Brown of Seabrook	Harmon
Fifield	Wedgewood

Towle of Freedom	Stark
Wentworth	Stevens of Mason
Burleigh of Sandwich	Sawyer of Nashua
Lialey	Spalding
Beacham	Beard
Wiggin of Ossipee	Baldwin
Thompson of Wolfborough	Ainsworth
Thurston	McMillen
Marden	Gibson of Pelham
Scribner	Steele
Price	Ames
Morrill of Boscawen	Kingsbury of Temple
Morgan	Woodbury
Smith of Bradford	Colby
Sanborn of Canterbury	Whittemore
Bailey of Chichester	Swett
Shute	Kingsbury of Alstead
Carter	Hamilton
Hoit of Concord	Coolidge
Gutterson	Mason of Dublin
Wiggin of Epsom	Parker of Fitzwilliam
Burley of Franklin	Bill
Marsh	Felt
Wilson	Wheeler of Keene
Knowlton	Davis of Keene
Gibson of Newbury	Batchelder of Marlborough
Flanders	Mack
Hoyt of Northfield	Osgood
Doe	Weeks of Richmond
Thompson of Warner	Converse
Langley	Copeland
Wallace of Amherst	Mason of Sullivan
Davis of Antrim	Abbot
Bailey of Brookline	Baker of Troy
Goodale	Tudor
Stevens of Goffstown	Morse
Jones of Goffstown	Butterfield
Peavey	Humphrey
Patten of Hancock	Hamlin
Baker of Hillsborough	Bingham
Pierce of Hillsborough	Cotton
Farley	Breck
Bordman of Lyndeborough	Willey



Moulton	Ladd of Holderness
Prentiss	Clark
Goldthwait	Allen of Lebanon
Cutler	Parker of Littleton
Glidden	Brackett
Jones of Washington	Stevens of Lyman
Locke of Alexandria	Perrin
Lang	McGrath
Wilcomb	Buzzell of Ellsworth
Prescott	Evans
Moore	Dearborn
Sanborn of Campton	Whidden
Blodgett of Canaan	Little
Page of Benton	Peabody
Blodgett of Dorchester	Glines
Wallace of Franconia	Emerton
Adams of Grafton	Low
Cheney	Wheeler of Milan
Blaisdell	Green
Smith of Haverhill	Day
Weeks of Hill	Cole

Ayes 18—Noes 182.

So said amendment was rejected.

On the question, shall the bill be read a third time?

It was decided in the affirmative.

Mr. Baker of Hillsborough moved that the rules of the House be so far suspended that the bill be read a third time at the present time.

And the question being put,

It was decided in the affirmative.

The bill was then read a third time.

On the question, shall the bill pass?

Mr. Morrison of Manchester called for the ayes and noes.

Those who voted in the affirmative are—Messrs.

Brown of Chester	Pickering
Webster	Stickney
Porter	Currier
Foss of Greenland	Crawford
Batchelder of Hampstead	George of Plaistow
Towle of Hampton	Robinson of Poplin
Boyd	Laighton

Treadwell	Marsh
Brown of Raymond	Ayer
Thompson of Salem	Wilson
Morrison of Windham	Knowlton
Clough of Barrington	Gibson of Newbury
Townsend	Flanders
Allen of Lee	Hoit of Northfield
Ricker	Doe
Buzzell of Middleton	Thompson of Warne.
Varney	Langley
Locke of New Durham	Davis of Antrim
Witham	Chandler
Perkins	Bailey of Brookline
Foss of Stratford	Goodale
Griffin	Bixby of Frankestown
McDuffie	Stevens of Goffstown
Young of Barnstead	Jones of Goffstown
Rollins of Barnstead	Peavey
Bordman of Gilford	Baker of Hillsborough
Robinson of Gilford	Pierce of Hillsborough
Leavitt	Farley
Wight	Boardman of Lyndeborough
Tebbetts	Stevens of Mason
Eastman	McGaw
Young of Meredith	Putnam
Calley	Bruce
Cate	Spalding
Wedgewood	Beard
Towle of Freedom	Ainsworth
Wentworth	McMillen
Burleigh of Sandwich	Gibson of Pelham
Beacham	Steele
Wiggin of Ossipee	Ames
Thompson of Wolfborough	Kingsbury of Temple
Thurston	Woodbury
Scribner	Colby
Morrill of Boscawen	Whitemore
Morgan	Swett
Smith of Bradford	Kingsbury of Alstead
Sanborn of Canterbury	Hamilton
Bailey of Chichester	Mason of Dublin
Shute	Bill
Hoit of Concord	Wheeler of Keene
Gutterson	Davis of Keene
Wiggin of Epsom	Mack

Osgood	Cheney
Weeks of Richmond	Swasey
Converse	Smith of Haverhill
Mason of Sullivan	Weeks of Hill
Whitcomb	Clark
Baker of Troy	Allen of Lebanon
Morse	Savage
Butterfield	Parker of Littleton
Humphrey	Brackett
Hamlin	Stevens of Lyman
Cotton	McGrath
Hall of Croydon	Buzzell of Ellsworth
Wiley	Evans
Prentiss	Dearborn
Goldthwait	Whidden
Cutler	Peabody
Adams of Springfield	Glines
Glidden	Johnson
Jones of Washington	Emerton
Locke of Alexandria	Ballou
Lang	Emery
Wilcomb	Low
Prescott	Wheeler of Milan
Sanborn of Campton	Green
Blodgett of Canaan	Day
Page of Benton	Cole
Merrill	

## Those who voted in the negative are—Messrs.

Knight	Morrill of Somersworth
Robinson of Brentwood	Ela
Noyes	Norris
Sanborn of Deerfield	Haley
Rawlins of Deerfield	Price
Blake	Carter
Thayer	Burley of Franklin
Vennard	Page of Sutton
Batchelder of North Hampton	Pattee
Hoitt of Northwood	Morrison of Manchester
Dennett	Stark
Brown of Seabrook	Sawyer of Nashua
Sawyer of Dover	Baldwin
Christie	Barnes
Jones of Farmington	Parker of Fitzwilliam



Batchelder of Marlborough  
 Abbott  
 Tudor  
 Bingham  
 Moulton

Moore  
 Blodgett of Dorchester  
 Adams of Grafton  
 Blaisdell  
 Perrin

Ayes 157. Noes 41.

So the bill passed.

*Resolved*, That its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of the following resolutions and address, to wit :

A resolution in favor of William Fiske and others.

A resolution directing the collection of the account of Robert Davis late Quarter Master General.

An address in favor of the removal of certain officers therein named.

The Senate have postponed to the next session of the Legislature the bill entitled “An act to limit the liability of Bank Directors and to prohibit officers of banks from receiving compensation for services in certain cases.”

On motion of Mr. Blaisdell—

The House reconsidered the vote concurring with the Senate in the adoption of their amendment to the bill entitled “An act to divide the county of Grafton into two Judicial districts.”

The question recurring, will the House concur with the Senate in their amendment to said bill ?

Mr. Swasey offered an amendment to said amendment.

And the question being put,

Shall the amendment to the amendment be adopted.

It was decided in the affirmative.

So the amendment to the amendment was adopted.

On the question, will the House concur in said amendment as amended ?

It was decided in the affirmative.

So the House concurred in said amendment.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Wight submitted the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened,* That the sum of sixty-eight dollars be allowed George G. Fogg for engrossing all the public acts and resolutions at this session and in full of his account; and that said sum be paid out of the Treasury.

Which was read a first and second time.

On motion of Mr. Parker of Fitzwilliam—

*Ordered,* That it be referred to the committee on Claims.

On motion of Mr. Emerton—

The House adjourned.

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FRIDAY, JULY 2, 1841.

On motion of Mr. Ayer—

*Resolved,* That the rules of the House be so far suspended that the reading of the Journal of yesterday be dispensed with.

Mr. Young of Meredith presented the petition of the field officers of the 1st regiment N. H. Militia, praying for the removal of an officer.

On motion of Mr. Sanborn of Deerfield—

*Resolved,* That said petition be postponed to the next session of the Legislature.

Mr. Fifield, from the committee on Claims, to whom was referred the resolution in favor of George G. Fogg, reported the same without amendment.

On motion of Mr. Wight—

*Resolved,* That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved,* That it pass.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

Mr. Bordman of Gilford, from the committee on Banks, to whom was referred a resolution instructing them to inquire into the expediency of passing a law requiring cashiers of banks, and clerks of Railroad corporations to make annual returns to the selectmen of the several towns where any stockholder may reside, of the amount of stock he may own on the first day of April, made a report,

Whereupon—

*Resolved,* That it is inexpedient to legislate upon the subject.

Mr. Palmer, from the committee on the Alteration of Names, to whom was recommitted the bill entitled "An act to alter the names of certain persons," reported the same in a new draft.

Which was read a first and second time.

On motion of Mr. Palmer—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Blake, from the committee on Military Affairs, to whom was referred the petition of Moses Page, praying for the removal of an officer, made a report,

Whereupon—

*Resolved*, That the further consideration of said petition be postponed to the next session of the Legislature.

Mr. Sawyer, from the committee on the Judiciary, to whom was referred the bill entitled "An act giving further powers to Justices of the Peace," made a report,

Whereupon—

*Resolved*, That said bill be postponed to the next session of the Legislature.

Mr. Page of Sutton, from the committee on the State House and State House Yard, who were instructed to inquire whether any, and if any, what further measures are necessary to protect the cupola and roof of the State House from injury by persons climbing upon and over the same, made a report,

Whereupon—

*Resolved*, That no legislative action is at this time necessary upon the subject.

Mr. Parker of Fitzwilliam, from the committee on the Judiciary, to whom was referred the bill entitled "An act to establish a new organization of the Courts of Common Pleas," made a report,

Whereupon—

*Resolved*, That said bill be postponed to the next session of the Legislature.

Mr. Sanborn of Deerfield, from the committee on Military Affairs, to whom was referred the resolution instructing them to inquire into the expediency of prohibiting the Commissary General from depositing any more muskets and other arms in the arsenal at Lancaster; also the resolution directing the Commissary General to deliver arms from the arsenal at Lancaster, to such uniform



companies as are entitled to receive the same, upon requisition of the Adjutant General, made a report,

Whereupon—

*Resolved*, That said resolutions be indefinitely postponed.

Mr. Bruce, from the committee on Claims, to whom were referred the accounts of Asa Fowler, Harry Hibbard and Daniel Sanborn, reported the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened*, That Asa Fowler be allowed the sum of one hundred and thirty one dollars and seventy-five cents, Harry Hibbard be allowed the sum of three hundred eighty dollars and eighty-five cents, and Daniel W. Sanborn be allowed the sum of fifteen dollars and seventy cents in full of their several accounts, and that the same be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first and second time.

On motion of Mr. Bruce—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time and passed.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Lang, from the committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed bills of the following titles, and the following resolutions, to wit :

A resolution to consolidate the third and seventh companies in the sixteenth regiment.

A resolution appropriating one hundred dollars for the erection of a gun house for the use of the artillery company in the second regiment of N. H. Militia.

A resolution appointing Jacob C. Carter, Librarian for the ensuing year.

A resolution in favor William Fiske and others.

“An act to unite certain Railroad Corporations with the Boston and Maine Railroad.”

“An act to provide for the appointment of additional officers of the Portsmouth Artillery company.”

“An act to annex a part of school district No. sixteen in Haverhill to school district No. eleven in Bath.”

An address in favor of the removal of certain officers therein named.

“An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation.”

A resolution directing the collection of the account of the State against Robert Davis, late Quarter Master General.

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Patten of Candia, from the committee on Military Affairs, who were instructed by resolution to inquire into the expediency of authorizing the Adjutant General to procure one thousand printed copies of the Militia laws now in force in this State, and distribute the same to the officers entitled by law to receive the same, made a report,

Whereupon—

*Resolved*, That the further consideration of said resolution be postponed to the next session of the legislature.

Mr. Bordman of Gilsford, from the committee on Banks, reported the following resolution :

*Resolved*, That a committee of three be appointed whose duty it shall be to report to the next Legislature a general law in relation to the subject of banking, and that said committee be permitted to use any books in the library or any papers in the Secretary's office.

On the question, shall the resolutions pass ?

It was decided in the negative.

So the resolution was rejected.

Mr. Robinson of Concord, from the select committee, to whom was referred the message of his Excellency the Governor, enclosing resolutions of the States of Maine, Massachusetts and Maryland, upon the subject of the Northeastern Boundary, submitted a report, and sundry resolutions.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the reading of the report be dispensed with.

The House proceeded to the consideration of the resolutions reported by said committee, which were as follows :

*Resolved, by the Senate and House of Representatives in General Court convened*, That the United States and the State of Maine have a just and valid title to all the territory in dispute between Great Britain and the United States, on the north eastern frontier, and that the boundary line agreeably to the treaty stipulations of 1783, is capable of being ascertained and marked upon the earth's surface.

*Resolved by the Senate and House of Representatives in General Court convened*, That it is the duty of the General Government to prosecute the commission appointed to explore the north eastern boundary line till the whole is ascertained and marked by suitable monuments ; from the source of the St. Croix to the

north west angle of Nova Scotia, and from said angle along the highlands described in the treaty of 1783, to the north westermost head of Connecticut river.

*Resolved by the Senate and House of Representatives in General Court convened,* That the military occupation by Great Britain of any part of the "disputed territory" is a violation of the rights of the State of Maine and of the United States and contrary to the arrangements entered into by the two governments.

*Resolved by the Senate and House of Representatives in General Court convened,* That though New Hampshire would deprecate a collision with the mother country ; yet, preferring honorable war to dishonorable peace, if other means fail of settling the dispute, she tenders her whole means and resources to the authorities of the Union, in sustaining our rights and honor.

*Resolved by the Senate and House of Representatives in General Court convened,* That the Governor be and hereby is requested to transmit a copy of the foregoing report, and of these resolutions, to each of the Governors of the several States, and to each of the Senators and Representatives in Congress from this State.

On the question, shall said resolutions be adopted ?

It was decided in the affirmative.

So the resolutions were adopted.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

Mr. Ferrin submitted the following resolution :

*Resolved by the Senate and House of Representatives in General Court convened,* That Aaron Carter, Atkinson Webster, Emery Burgess and Philip Sargeant be allowed the sum of sixty-four dollars each in full of their services, and that Jacob C. Carter be allowed the sum of sixty-eight dollars in full for his services, and that the same be paid out of any money in the Treasury not otherwise appropriated.

Which was read a first and second time. 3

On motion of Mr. Ferrin—

*Ordered,* That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved,* That it pass.

*Ordered,* That the Clerk request the concurrence of the Senate therein.

Pursuant to previous notice and by leave—

Mr. Calley introduced a bill entitled "An act in addition to an act entitled an act for the punishment of idle and disorderly per-



sons and for the support and maintenance of the poor, passed Dec. 16, 1828."

Which was read a first time.

On motion of Mr. Smith of Bradford—

*Resolved*, That said bill be postponed to the next session of the Legislature.

Pursuant to previous notice and by leave—

Mr. Morrison of Manchester introduced a bill entitled "An act to constitute the county of Stark."

Which was read a first time.

On motion of Mr. Morrison of Manchester—

*Resolved*, That the bill entitled "An act to constitute the county of Stark" be postponed to the next session of the Legislature, and that the selectmen of the several towns in the counties of Rockingham and Hillsborough insert in the warrant for calling the next annual meeting in their respective towns an article to take the sense of the qualified voters on the question—"Is it expedient that a new county should be formed to consist of parts of Rockingham, Hillsborough and Merrimack counties?" and make return of the votes given on said question in their respective towns to the Secretary of State on or before the first Tuesday of June next.

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the bill entitled "An act in addition to an act approved June 28, A. D. 1821, entitled an act in addition to an act entitled an act to incorporate sundry persons by the name of the president, directors and company of the New Hampshire Union Bank, approved June 18, 1802."

On motion of Mr. Treadwell—

*Resolved*, That said bill be postponed to the next session of the Legislature.

On motion of Mr. Smith of Bradford—

*Resolved*, That the rules of the House be so far suspended that all bills which are in order for a third reading this afternoon at three o'clock be in order for a third reading at the present time.

The House accordingly proceeded to the order of the day upon bills of the following titles, to wit:

"An act in addition to an act relating to the organization of the courts of justice."

"An act to unite school district No. 6 in Epsom with Republican school district in Pittsfield."

"An act establishing the times and places of holding courts of Probate in the county of Strafford."

"An act to divide the State into districts for the choice of Senators."

"An act to incorporate Engine company No. 1, in Mason Village."

"An act in favor of Light Infantry and other companies in this State."

Which were severally read a third time.

*Resolved*, That they pass and that their titles be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the bill entitled "An act in addition to an act to incorporate the Amoskeag Falls Bridge," which came down from the Hon. Senate.

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded in the order of the day upon the bill entitled "An act relating to Railroads," which came down from the Hon. Senate.

Which was read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded in the order of the day upon the bill entitled "An act in amendment of an act entitled an act to incorporate the Rockingham Mutual Fire Insurance Company, approved June 26, 1838."

Which was read a third time.

*Resolved* That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Hon. Senate in the amendment made by the House to said bill.

The House proceeded in the order of the day upon the bill entitled "An act in addition to and in amendment of an act entitled an act in addition to and in amendment of an act entitled an act in relation to the militia, passed July 3, 1838."

Which was read a third time.

Mr. Blake moved that the bill be indefinitely postponed.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood  
Patten of Candia  
Noyes  
Brown of Chester  
Webster

Taylor  
Porter  
Ladd of Epping  
Odlin  
Foss of Greenland

Towle of Hampton	Eastman
Sanborn of Hampton Falls	Ela
Blake	Curry
Thayer	Morrison of Sanbornton
Boyd	Cate
Vennard	Burleigh of Sandwich
Pickering	Hall of Tamworth
Stickney	Hurston
Batchelder of North Hampton	Price
Hoit of Northwood	Morrill of Boscawen
Crawford	Smith of Bradford
George of Plaistow	Sanborn of Canterbury
Wiggin of Portsmouth	Bailey of Chichester
Brown of Raymond	Shute
Garland	Carter
Thompson of Salem	Robinson of Concord
Brown of Seabrook	Hoit of Concord
Palmer	Wiggin of Epsom
Morrison of Windham	Burley of Franklin
Clough of Barrington	Marsh
Sawyer of Dover	Ayer
Peirce of Dover	Knowlton
Christie	Clough of Loudon
Jones of Farmington	Gibson of Newbury
Allen of Lee	Flanders
Buzzell of Middleton	Hoyt of Northfield
Varney	Doe
Locke of New Durham	Page of Sutton
Witham	Pattee
Torr	Thompson of Warner
Perkins	Wallace of Amherst
Foss of Strafford	Chandler
Morrill of Somersworth	Bailey of Brookline
McDuffie	Goodale
Mooney	Bixby of Frankestown
Young of Barnstead	Peavey
Rollins of Barnstead	Bixby of Litchfield
Paine	Bordman of Lyndeborough
Bordman of Gilford	Morrison of Manchester
Robinson of Gilford	Stark
Leavitt	Stevens of Mason
Wight	McGaw
Tebbetts	Spalding



Beard	Whitcomb
Baldwin	Tudor
Gibson of Pelham	Humphrey
Steele	Hamlin
Ames	Bingham
Barnes	Grannis
Kingsbury of Temple	Breck
Woodbury	Hall of Croydon
Whittemore	Willey
Swett	Moulton
Kingsbury of Alstead	Prentiss
Coolidge	Goldthwait
Mason of Dublin	Cutler
Parker of Fitzwilliam	Blaisdell
Bill	Ladd of Holderness
Felt	Perrin
Wheeler of Keene	Buzzell of Ellsworth
Mack	Whidden
Osgood	Johnson
Converse	Haines
Copeland	Cole
Mason of Sullivan	

Those who voted in the negative are—Messrs.

Knight	Morgan
Sanborn of Deerfield	Langley
Rawlins of Deerfield	Stevens of Goffstown
Currier	Jones of Goffstown
Robinson of Poplin	Baker of Hillsborough
Laighton	Pierce of Hillsborough
Treadwell	Putnam
Brown of Seabrook	Weeks of Richmond
Young of Meredith	Baker of Troy
Norris	Locke of Alexandria
Calley	Lang
Wedgewood	Wilcomb
Towle of Freedom	Prescott
Wentworth	Moore
Haley	Sanborn of Campton
Beacham	Blodgett of Canaan
Wiggin of Ossipee	Page of Benton
Thompson of Wolfborough	Rand
Scribner	Blodgett of Dorchester

Wallace of Franconia	Goodwin
Adams of Grafton	Little
Cheney	Peabody
Smith of Haverhill	Pitman
Weeks of Hill	Glides
Clark	Emerton
Savage	Ballou
Parker of Littleton	Emery
Brackett	Low
Stevens of Lyman	Young of Stewartstown
McGrath	Day
Evans	

Ayes 139. Noes 61.

So the bill was indefinitely postponed.

The House proceeded in the order of the day upon the bill reported by the committee on Military Affairs to whom was referred the petition of the officers of the sixth regiment of N. H. militia, praying for the removal of William H. Alexander, Captain of the fifth company in said regiment.

On motion of Mr. Sanborn of Deerfield—

*Ordered*, That said bill be put upon its second reading for the purpose of amendment.

On motion of Mr. Sanborn of Deerfield—

*Ordered*, That said bill be recommitted to the committee on Military Affairs,—leave being granted to said committee to sit during the session of the House.

The House proceeded in the order of the day upon the bill entitled "An act establishing the salaries of the Justices of the Superior Court of Judicature."

Which was read a third time.

On the question, shall the bill pass?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Robinson of Brentwood	Laighton
Noyes	Sawyer of Deer
Brown of Chester	Witham
Taylor	Morrill of Somersworth
Robinson of Exeter	Bordman of Gilford
Blake	Wight
Thayer	Tebbetts
Stickney	El

Curry	Kingsbury of Alstead
Harmon	Hamilton
Wentworth	Parker of Fitzwilliam
Hall of Tamworth	Wheeler of Keene
Robinson of Concord	Osgood
Burley of Franklin	Baker of Troy
Flanders	Tudor
Wallace of Amherst	Butterfield
Chandler	Humphrey
Morrison of Manchester	Bingham
McGaw	Cotton
Putnam	Breck
Sawyer of Nashua	Hall of Croyden
Baldwin	Jones of Washington
Ainsworth	Blodgett of Canaan
Steele	Blaisdell
Ames	Smith of Haverhill
Barnes	Brackett

Those who voted in the negative are—Messrs.

Patten of Candia	Allen of Lee
Webster	Buzzell of Middleton
Sanborn of Deerfield	Locke of New Durham
Rawlins of Deerfield	Perkins
Ladd of Epping	Foss of Strafford
Foss of Greenland	McDuffie
Towle of Hampton	Mooney
Boyd	Young of Barnstead
Vennard	Paine
Batchelder of North Hampton	Robinson of Gilford
Hoyt of Northwood	Leavitt
Robinson of Poplin	Eastman
Wiggin of Portsmouth	Young of Meredith
Treadwell	Norris
Brown of Raymond	Calley
Garland	Parrish
Brown of Seabrook	Cate
Fifield	Wedgewood
Morrison of Windham	Towle of Freedom
Clough of Barrington	Burleigh of Sandwich
Peirce of Dover	Beacham
Townsend	Wiggin of Ossipee
Jones of Farmington	Thompson of Wolfborough



Thurston	Converse
Marden	Copeland
Scribner	Abbott
Morrill of Boscawen	Whitcomb
Morgan	Grannis
Smith of Bradford	Moulton
Sanborn of Canterbury	Prentiss
Bailey of Chichester	Goldthwaite
Shute	Cutler
Carter	Adams of Springfield
Gutterson	Rogers
Wiggin of Epsom	Locke of Alexandria
Marsh	Lang
Ayer	Wilcomb
Knowlton	Prescott
Clough of Loudon	Page of Benton
Gibson of Newbury	Rand
Hoyt of Northfield	Blodgett of Dorchester
Doe	Wallace of Franconia
Page of Sutton	Adams of Grafton
Thompson of Warner	Cheney
Langley	Ferrin
Davis of Antrim	Weeks of Hill
Bailey of Brookline	Ladd of Holderness
Goodale	Clark
Stevens of Goffstown	Savage
Jones of Goffstown	Parker of Littleton
Peavey	Stevens of Lyman
Baker of Hillsborough	Perrin
Farley	Buzzell of Ellsworth
Bixby of Litchfield	Goodwin
Boardman of Lyndeborough	Whidden
Stark	Peabody
Gibson of Pelham	Pitman
Kingsbury of Temple	Glines
Woodbury	Johnson
Whittemore	Emerton
Swett	Haines
Coolidge	Emery
Mason of Dublin	Low
Bill	Green
Felt	Young of Stewartstown
Mack	Day
Weeks of Richmond	Cole

Ayes 52. Noes 134.

So the bill was rejected.

A message from the Senate by their Clerk:

"Mr. Speaker:—The Senate concur with the House of Representatives in their amendment to the bill entitled "An act to divide the county of Grafton into two judicial districts."

The Senate have postponed to the next session of the Legislature the bill entitled "An act to incorporate the President, Directors and Company of the Sullivan County Bank."

The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

"An act altering the times and places of holding Courts of Probate in the county of Hillsborough."

"An act to alter the names of certain persons."

The Senate concur with the House of Representatives in the passage of a bill entitled "An act to alter the time of calling out the militia for inspection," with an amendment, in which they ask the concurrence of the House."

On motion of Mr. Merrill—

*Resolved*, That the House concur with the Honorable Senate in said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The House proceeded in the order of the day upon the bill entitled "An act to incorporate the Campton Village Manufacturing Company."

Which was read a third time.

On motion of Mr. Ferrin—

*Resolved*, That said bill be indefinitely postponed.

On motion of Mr. Smith of Bradford—

*Resolved*, That the rules of the House be so far suspended that all resolutions which were in order for a third reading this afternoon be in order for a third reading at the present time

The House accordingly proceeded to the order of the day upon a resolution providing for repairs of military carriages, guns and harnesses.

Which was read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution authorizing the commanding officer of the Winnipisseogee Guards to enlist and enrol in said regiment fifteen soldiers from any company of Infantry in Gilmanton.

Which was read a third time.

On motion of Mr. Tebbetts—

*Ordered*, That said resolution be put upon its second reading.

Mr. Tebbetts offered an amendment to the resolution.

And the question being put—

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Tebbetts—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Parker of Fitzwilliam—

The House resumed the consideration of the bill entitled “An act in favor of the Swanzey Artillery company.”

Mr. Glidden moved that the bill be indefinitely postponed.

And the question being put,

It was decided in the negative.

So the motion to postpone said bill indefinitely did not prevail.

On the question, shall the bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved* That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate have rejected the bill entitled “An act to secure the public against the frauds of banking institutions.”

The Senate concur with the House of Representatives in the passage of the following resolutions:

A resolution in favor of Asa Fowler and others.

A resolution in favor of George G. Fogg.

A resolution directing a copy of the laws Journals and other public documents of this State to be furnished to the New York Historical society.

A resolution in favor of Aaron Carter and others.

A resolution in favor of Reuben G. Wyman and others.



The Senate have passed a bill entitled "An act to limit the liability of bank directors and to prohibit officers of banks from receiving compensation for services in certain cases."

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate.

Said bill was read a first and second time.

On motion—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Robinson of Poplin, from the committee on Military Affairs, to whom was re-committed the bill founded upon the petition of the officers of the sixth regiment praying for the removal of Captain William H. Alexander, reported as a substitute therefor a bill entitled "An act discharging an officer of the militia from arrest."

Which was read a first and second time.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Leavitt submitted a resolution authorizing the Secretary of State to furnish copies of the statute laws of this State to county officers in the counties of Belknap and Carroll.

Which was read a first and second time.

On motion of Mr. Leavitt—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded to the order of the day for eleven o'clock upon the bill entitled "An act to incorporate the Amoskeag Savings Society."

Which was read a second time.

Mr. Spalding offered an amendment to the bill.

And the question being put, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Baker of Hillsborough—

*Resolved*, That the bill be postponed to the next session of the Legislature.

The House proceeded in the order of the day upon the resolution prescribing the duties of bank commissioners.

Which was read a second time.

On motion—

*Ordered*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved* That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

The House proceeded in the order of the day upon the resolution directing the printing of the public acts and resolves in the Manchester Representative.

Which was read a second time.

On the question—

Shall the resolution be read a third time ?

It was decided in the negative.

So the resolution was rejected.

On motion of Mr. Wedgewood—

The House resumed the consideration of the report of the committee on the Judiciary, to whom was referred the petition of Josiah Dearborn praying for legislation with regard to the repairing of a meeting-house.

Mr. Wedgewood moved that the resolution reported by the committee be amended by striking out all after the word "*Resolved*," and inserting instead thereof the words following: "that the further consideration of said subject be postponed to the next session of the Legislature."

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution pass ?

It was decided in the affirmative.

So the resolution passed.

Mr. Bruce submitted the following resolution:

*Resolved by the Senate and House of Representatives in General Court convend*, That the Clerks of the Senate and House of

Representatives be requested to leave in the office of the Secretary of State within ninety days after the close of every session of the Legislature, the original journals of the Senate and House of Representatives, to be deposited in the State archives, and that the copy of said journals heretofore required be dispensed with, any law, custom or usage to the contrary notwithstanding.

Which was read a first and second time.

On motion of Mr. Bruce—

*Resolved*, That the rules of the House be so far dispensed with that said resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved* That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Pursuant to previous notice and by leave—

Mr. Bingham introduced a bill entitled "An act to encourage the manufacture of silk."

Which was read a first time.

On motion of Mr. Harmon—

*Resolved*, That said bill be postponed to the next session of the Legislature.

On motion of Mr. Parker of Fitzwilliam—

The House resumed the consideration of his resolution that the House reconsider the vote denying a third reading to the bill entitled "An act to incorporate the Proprietors of the Mount Washington Bridle Road."

And the question being put upon said motion,

It was decided in the negative.

So the House refused to reconsider said vote.

On motion—

The House adjourned.

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#### AFTERNOON.

A message from the Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, to wit:

"An act making appropriations for the Militia of this State for the year 1841."



"An act to incorporate the Concord East Village Fire Engine Company."

"An act in addition to and in amendment of an act entitled an act to constitute the counties of Belknap and Carroll, passed Dec. 23, 1840."

The Senate concur with the House of Representatives in their amendment to the bill entitled "An act relating to Railroads."

The Senate concur with the House of Representatives in the appointment of a committee to wait upon Lawson Coolidge, and inform him of his appointment to the office of Warden of the State Prison, and if he accept the same to receive of him the customary bond, and to inform His Excellency the Governor of said appointment, and have on their part joined Mr. Straw.

The Senate concur with the House of Representatives in the passage of bills of the following titles, and the following resolutions:

"An act in addition to an act relating to the organization of the courts of justice."

"An act establishing the times and places of holding courts of Probate in the County of Strafford."

"An act to incorporate Engine Company No. 1, in Mason Village."

"An act to unite school district No. 6 in Epsom, with Republican school district in Pittsfield."

Sundry resolutions providing for repairs of military carriages, guns and harnesses.

A resolution authorizing the commanding officer of the Winnipisseogee Guards, to enlist fifteen additional soldiers.

On motion of Mr. Bordman of Gilford—

The House resumed the consideration of the bill entitled "An act establishing the salary of the Attorney General."

On motion of Mr. Blaisdell—

*Resolved*, That said bill be indefinitely postponed.

On motion of Mr. Parker of Fitzwilliam—

The House resumed the consideration of the resolution directing an inquiry into the expediency of prescribing the time of distributing the New Hampshire laws.

On the question, shall the resolution pass?

It was decided in the negative.

So the resolution was rejected.

Mr. Blake from the committee on Military Affairs to whom were referred the returns of the Adjutant General, made a report

Whereupon—

*Resolved*, That said returns be filed in the office of the Adjutant General.

On motion of Mr. Foss of Greenland—

The House resumed the consideration of the bill entitled "An act in addition to an act entitled an act relating to the public property in the arsenal at Portsmouth and Lancaster."

Mr. Day offered an amendment to said bill.

Mr. Swasey offered an amendment to said amendment.

On the question, shall the amendment to the amendment be adopted?

It was decided in the affirmative.

So the amendment to the amendment was adopted.

And on the question, shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Day offered a further amendment to the bill.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Day offered a further amendment to the bill.

And the question being put,

Shall the amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

On motion of Mr. Treadwell—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker—The Senate have postponed to the next session of the legislature the bill entitled "An act relating to the Militia."

The Senate concur with the House of Representatives in the passage of a bill entitled "An act to incorporate the New Hampshire Farmers' Mutual Fire Insurance company," with an amendment in which they ask the concurrence of the House."

The House proceeded to the consideration of the foregoing bill with the amendment which came down from the Honorable Senate.

Mr. Smith of Bradford moved that the House concur with the Senate in the adoption of said amendment.

And the question being put—

It was decided in the affirmative.

So the House concurred in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk:

“Mr. Speaker—The Senate concur with the House of Representatives in their amendment to the bill entitled “An act in amendment of an act entitled an act in addition to an act entitled an act to incorporate the Rockingham Mutual Fire Insurance Company, approved June 26, 1838.”

The Senate have postponed indefinitely the resolution directing the original journals of the Senate and House of Representatives to be deposited in the office of the Secretary of State.

The Senate concur with the House of Representatives in the passage of a bill entitled “An act discharging an officer of the militia from arrest.”

Mr. Young of Meredith submitted a resolution appropriating one hundred and eighteen dollars and thirty-five cents to the sealer of weights and measures for the county of Carroll for the use of said county.

Which was read a first time.

On motion of Mr. Peirce of Dover—

*Ordered*, That the resolution be referred to the committee on Claims,—leave being granted to said committee to sit during the session of the House.

Mr. Doe submitted a resolution granting one copy of Carri-gain’s map of New Hampshire to the Literary Institute and Gymnasium at Pembroke.

Which was read a first and second time.

Mr. Flanders offered an amendment to the resolution.

And the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

Mr. Sawyer of Nashua offered a further amendment to the resolution, extending said grant to all academies and other institutions in the State to which said map has not heretofore been granted.

And the question being put—

Shall said amendment be adopted?



It was decided in the affirmative.

So the amendment was adopted.

Mr. Chandler of Bedford offered a further amendment to the resolution.

And the question being put,

Shall said amendment be adopted?

It was decided in the negative.

So the amendment was rejected.

Mr. Baker of Hillsborough offered a further amendment to the resolution.

And the question being put,

Shall said amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On motion of Mr. Baker of Hillsborough—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Bruce, from the committee on Claims, to whom was referred the resolution in favor of the sealer of weights and measures for the county of Carroll, reported the same in a new draft.

Which was read a first and second time.

On motion of Mr. Young of Meredith—

*Resolved*, That the rules of the House be so far suspended that the resolution be read a third time at the present time.

The resolution was then read a third time.

*Resolved*, That it pass.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

Mr. Wight, from the committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed the following resolutions.

A resolution in favor of Asa Fowler and others.

A resolution directing a copy of the laws, journals and other public documents to be furnished to the New York Historical Society.

A resolution in favor of Aaron Carter and others.

A resolution in favor of George G. Fogg.

A resolution in favor of Reuben G. Wyman and others.

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate have passed a bill entitled “An act to incorporate the Female Charitable Society of Concord,” in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing bill which came down from the Hon. Senate.

The bill was read a first time.

On the question, shall the bill be read a second time?

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Noyes	Wentworth
Brown of Chester	Hall of Tamworth
Webster	Thompson of Wolfborough
Taylor	Thurston
Porter	Price
Batchelder of Hampstead	Morrill of Boscawen
Sanborn of Hampton Falls	Shute
Blake	Carter
Thayer	Robinson of Concord
Boyd	Hoit of Concord
Vennard	Burley of Franklin
Stickney	Knowlton
Wiggin of Portsmouth	Clough of Loudon
Brown of Seabrook	Flanders
Palmer	Hoit of Northfield
Morrison of Windham	Wallace of Amherst
Clough of Barrington	Bixby of Francestown
Sawyer of Dover	Stevens of Mason
Peirce of Dover	McGaw
Townsend	Putnam
Varney	Bruce
Witham	Sawyer of Nashua
Torr	Spalding
Foss of Strafford	Beard
Morrill of Somersworth	Baldwin
McDuffie	Ainsworth
Mooney	Ames
Bordman of Gilford	Kingsbury of Temple
Norris	Kingsbury of Alstead
Parrish	Hamilton
Cate	Coolidge
Harmon	Mason of Dublin

Parker of Fitzwilliam  
Felt  
Wheeler of Keene  
Osgood  
Converse  
Mason of Sullivan  
Abbott  
Baker of Troy  
Tudor  
Butterfield  
Humphrey  
Hamlin

Bingham  
Cotton  
Breck  
Hall of Croydon  
Prentiss  
Moore  
Adams of Grafton  
Ladd of Holderness  
Brackett  
Perrin  
Dearborn  
Wheeler of Milan

Those who voted in the negative are—Messrs.

Knight  
Sanborn of Deerfield  
Rawlins of Deerfield  
Ladd of Epping  
Foss of Greenland  
Pickering  
Currier  
Batchelder of North Hampton  
Hoitt of Northwood  
Crawford  
George of Plaistow  
Robinson of Poplin  
Laighton  
Dennett  
Treadwell  
Brown of Raymond  
Garland  
Thompson of Salem  
Jones of Farmington  
Allen of Lee  
Buzzell of Middleton  
Locke of New Durham  
Perkins  
Young of Barnstead  
Paine  
Leavitt  
Tebbetts  
Eastman  
Ela  
Calley

Morrison of Sanbornton  
Wedgewood  
Towle of Freedom  
Burleigh of Sandwich  
Haley  
Beacham  
Wiggin of Ossipee  
Marden  
Scribner  
Morgan  
Smith of Bradford  
Sanborn of Canterbury  
Bailey of Chichester  
Gutterson  
Wiggin of Epsom  
Marsh  
Wilson  
Gibson of Newbury  
George of Salisbury  
Page of Sutton  
Pattee  
Thompson of Warner  
Langley  
Davis of Antrim  
Chandler  
Bailey of Brookline  
Goodale  
Stevens of Goffstown  
Jones of Goffstown  
Peavey



Baker of Hillsborough	Blodgett of Canaan
Pierce of Hillsborough	Page of Benton
Farley	Rand
Cross	Wallace of Franconia
Birby of Litchfield	Cheney
Morrison of Manchester	Swasey
Stark	Smith of Haverhill
McMillen	Ferrin
Gibson of Pelham	Weeks of Hill
Woodbury	Clark
Colby	Savage
Whittemore	Stevens of Lyman
Bill	McGrath
Mack	Buzzell of Ellsworth
Weeks of Richmond	Evans
Whitcomb	Goodwin
Copeland	Whidden
Willey	Little
Goldthwait	Peabody
Glidden	Emerton
Jones of Washington	Ballou
Locke of Alexandria	Emery
Wilcomb	Low
Prescott	Young of Stewartstown
Sanborn of Campton	Day

Ayes 88. Noes 110.

So the bill was rejected.

Mr. Haley, from the joint select committee appointed to inform Lawson Coolidge of his appointment to the office of Warden of the State Prison for the ensuing year, and to receive of him the customary bond and to inform His Excellency the Governor of said appointment, reported—

That the committee have notified said Coolidge of his appointment to said office, that said Coolidge has signified his acceptance of the same, and has furnished a bond to the State in the sum of twenty thousand dollars, with sureties of sufficient ability for the faithful discharge of the duties of said office, of all which the committee have notified His Excellency the Governor, and that His Excellency has approved said bond, and caused the same to be filed in the office of the Secretary of State.

Which report was accepted.

On motion of Mr. Baker of Troy—

The House resumed the consideration of the bill entitled "An act in addition to an act entitled an act for the preservation of highways and bridges, passed July 6, 1839."

The question being upon the motion of Mr. Morrill of Somersworth that said bill be indefinitely postponed,

And the ayes and noes having been called for—

Those who voted in the affirmative are—Messrs.

Sanborn of Deerfield	Beacham
Rawlins of Deerfield	Wiggin of Ossipee
Ladd of Epping	Thompson of Wolfborough
Foss of Greenland	Thurston
Batchelder of Hampstead	Marden
Sanborn of Hampton Falls	Price
Blake	Sanborn of Canterbury
Boyd	Bailey of Chichester
Pickering	Wiggin of Epsom
Currier	Clough of Loudon
Hoit of Northwood	Flanders
George of Plaistow	Bailey of Brookline
Laighton	Bixby of Francestown
Brown of Raymond	Stevens of Goffstown
Thompson of Salem	Pierce of Hillsborough
Brown of Seabrook	Cross
Palmer	Morrison of Manchester
Morrison of Windham	Stark
Clough of Barrington	Putnam
Pierce of Dover	Woodbury
Jones of Farmington	Coolidge
Allen of Lee	Butterfield
Perkins	Humphrey
Foss of Strafford	Wiley
McDuffie	Lang
Young of Barnstead	Moore
Bordman of Gilford	Blodgett of Dorchester
Eastman	Weeks of Hill
Calley	Savage
Morrison of Sanbornton	Buzzell of Ellsworth
Cate	Goodwin
Towle of Freedom	Emerton
Hall of Tamworth	Young of Stewartstown
Haley	

Those who voted in the negative are—Messrs.

Knight	Bixby of Litchfield
Noyes	McGaw
Brown of Chester	Bruce
Webster	Sawyer of Nashua
Taylor	Beard
Porter	Baldwin
Robinson of Poplin	Gibson of Pelham
Dennett	Ames
Christie	Kingsbury of Temple
Buzzell of Middleton	Colby
Varney	Whittemore
Locke of New Durham	Kingsbury of Alstead
Mooney	Hamilton
Leavitt	Parker of Fitzwilliam
Tebbetts	Felt
Wedgewood	Osgood
Wentworth	Weeks of Richmond
Burleigh of Sandwich	Converse
Scribner	Copeland
Morrill of Boscawen	Mason of Sullivan
Morgan	Abbott
Shute	Whitcomb
Carter	Baker of Troy
Robinson of Concord	Hamlin
Hoit of Concord	Bingham
Gutterson	Prentiss
Burley of Franklin	Goldthwait
Marsh	Glidden
Wilson	Jones of Washington
Knowlton	Locke of Alexandria
Gibson of Newbury	Wilcomb
Hoit of Northfield	Prescott
Doe	Sanborn of Campton
George of Salisbury	Blodgett of Canaan
Page of Sutton	Page of Benton
Pattee	Wallace of Franconia
Langley	Adams of Grafton
Wallace of Amherst	Cheney
Goodale	Smith of Haverhill
Jones of Goffstown	Ferrin
Peavey	Ladd of Holderness
Baker of Hillsborough	Clark



Stevens of Lyman  
 Perrin  
 McGrath  
 Dearborn  
 Little

Peabody  
 Johnson  
 Ballou  
 Emery  
 Low

Ayes 67. Noes. 94.

So the motion to postpone said bill indefinitely did not prevail.

Mr. Treadwell moved that the bill be postponed to the next session of the Legislature.

And the question being put,

It was decided in the negative.

So said motion did not prevail.

Mr. Treadwell moved that the bill be postponed to Saturday next.

And the question being put,

The ayes and noes were called for.

Those who voted in the affirmative are—Messrs.

Ladd of Epping  
 Batchelder of Hampstead  
 Sanborn of Hampton Falls  
 Pickering  
 Currier  
 Batchelder of North Hampton  
 Hoit of Northwood  
 Wiggin of Portsmouth  
 Treadwell  
 Brown of Raymond  
 Palmer  
 Clough of Barrington  
 Allen of Lee  
 McDuffie  
 Mooney  
 Calley  
 Morrison of Sanbornton  
 Towle of Freedom  
 Hall of Tamworth  
 Haley  
 Beacham  
 Wiggin of Ossipee  
 Marden

Bailey of Chichester  
 Doe  
 Chandler  
 Pierce of Hillsborough  
 Farley  
 Cross  
 Bixby of Litchfield  
 Putnam  
 McMillen  
 Cooledge  
 Butterfield  
 Goldthwait  
 Lang  
 Page of Benton  
 Blodgett of Dorchester  
 Cheney  
 Weeks of Hill  
 Savage  
 Buzzell of Ellsworth  
 Evans  
 Goodwin  
 Young of Stewartstown

Those who voted in the negative are—Messrs.

Knight	Knowlton
Patten of Candia	Clough of Loudon
Noyes	Gibson of Newbury
Brown of Chester	Hoyt of Northfield
Webster	George of Salisbury
Taylor	Page of Sutton
Porter	Pattee
Thayer	Langley
Boyd	Davis of Antrim
Vennard	Goodale
Robinson of Poplin	Stevens of Goffstown
Thompson of Salem	Jones of Goffstown
Morrison of Windham	Peavey
Christie	Morrison of Manchester
Jones of Farmington	Stark
Buzzell of Middleton	McGaw
Varney	Bruce
Locke of New Durham	Sawyer of Nashua
Perkins	Beard
Foss of Strafford	Baldwin
Bordman of Gilford	Ainsworth
Leavitt	Gibson of Pelham
Wight	Ames
Ela	Woodbury
Norris	Whittemore
Cate	Swett
Wedgewood	Kingsbury of Alstead
Wentworth	Mason of Dublin
Burleigh of Sandwich	Felt
Thompson of Wolfborough	Osgood
Thurston	Weeks of Richmond
Scribner	Converse
Price	Copeland
Morrill of Boscawen	Mason of Sullivan
Morgan	Abbot
Shute	Whitcomb
Carter	Baker of Troy
Hoit of Concord	Tudor
Robinson of Concord	Humphrey
Gutterson	Bingham
Burley of Franklin	Prentiss

Glidden	Stevens of Lyman
Jones of Washington	Perrin
Locke of Alexandria	McGrath
Wilcomb	Dearborn
Prescott	Little
Sanborn of Campton	Peabody
Blodgett of Canaan	Johnson
Wallace of Franconia	Emerton
Adams of Grafton	Ballou
Smith of Haverhill	Emery
Ferrin	Low
Clark	Day

Ayes 45—Noes 106.

So the motion to postpone said bill to Saturday next did not prevail.

On the question, shall the bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Baker of Troy—

*Resolved*, That the rules of the House be so far suspended that the bill be read a third time at the present time.

The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Treadwell—

*Resolved*, That the House take a recess until seven o'clock.

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### SEVEN O'CLOCK.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the rules of the House be so far suspended that he be allowed at this time to introduce a bill.

Mr. Sanborn of Deerfield accordingly introduced a bill entitled "An act explanatory of and in addition to an act making appropriations for the militia of this State for the year 1841."

Which was read a first and second time.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the rules of the House be so far suspended that said bill be in order for a third reading at the present time.



The bill was then read a third time.

*Resolved*, That it pass and that its title be as aforesaid.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

On motion of Mr. Blake—

*Resolved*, That all bills, resolutions and other papers presented to this House the present session, and not otherwise disposed of, be postponed to the next session of the Legislature.

On motion of Mr. Parker of Fitzwilliam—

*Resolved*, That when the House adjourn this afternoon, they adjourn to meet again to-morrow at four o'clock in the forenoon.

A message from the Senate by their Clerk :

“Mr. Speaker—The Senate concur with the House of Representatives in the passage of bills with the following titles, and the following resolutions, to wit:

“An act to divide the State into districts for the choice of Senators.”

“An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in the town of Somersworth.”

“An act in favor of the Swanzev Artillery Company.”

“An act securing to mechanics and laborers a lien on buildings, ships and other vessels.”

Sundry resolutions relating to the subject of the Northeastern Boundary.

A resolution directing a copy of Carrigain's map to be granted to such academies and other incorporated institutions as have not been furnished with the same.

A resolution directing the Secretary of State to furnish the county officers in the counties of Belknap and Carroll with the statute laws of this State.

The Senate have postponed to the next session of the Legislature the bill entitled “An act in addition to an act entitled an act for the preservation of highways and bridges, passed July 6, 1839.”

The Senate have postponed to the next session of the Legislature the bill entitled “An act in addition to an act entitled an act relating to the public property in the arsenal at Portsmouth and Lancaster.”

The Senate concur with the House in the passage of a bill entitled “An act in favor of light infantry and other companies in this State,” with an amendment, in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing bill, with the amendment, which came down from the Hon. Senate.

On motion of Mr. Sanborn of Deerfield—

*Resolved*, That the House concur with the Senate in the adoption of said amendment.

*Ordered*, That the Clerk inform the Senate thereof.

The following resolution was laid upon the Clerk's table by Mr. Sawyer of Nashua :

*Resolved*, That the thanks of the House be presented to the Hon. John S. Wells for the impartial and highly acceptable manner in which he has discharged the duties of the Chair the present session.

Which was read by the Clerk and adopted by the House.

To which the Speaker replied as follows :

GENTLEMEN—To be able to perform the duties of the station to your satisfaction was my ardent wish on taking the Chair, and to be assured that I have succeeded, as I am by the flattering resolution you have just passed, is a source of high satisfaction, and in tendering you my thanks for this kind approval of my official conduct, it is with pleasure I avow that to your generous aid and support I am chiefly indebted for whatever success may have attended my efforts. To your industry and faithful attention, Gentlemen, to the business of the House, I am free to bear witness, and with pleasure will add that during the session, amid the many exciting and interesting scenes which have arisen, your deliberations have been characterized by an elevated bearing, alike honorable to yourselves and to the people you represent.

Gentlemen—as you are now about to separate and return to your constituents and your homes, you will carry with you my best wishes for your future success and happiness, and may the kind greetings of your families and friends be accompanied with the assurance of their entire exemption during your absence from the afflicting ills of life. And now, Gentlemen, in conclusion, allow me to bid you all collectively and individually a friendly adieu.

A message from the Senate by their Clerk.

“Mr. Speaker—The Senate have reconsidered the vote adopting the resolutions relating to the subject of the Northeastern Boundary, and have passed the same resolutions, with an amendment, in which they ask the concurrence of the House.”

The House proceeded to the consideration of the foregoing resolutions, with the amendment, which came down from the Hon. Senate, which amendment was to strike out the words "of the foregoing report and" in the fourth and fifth lines of the last of said resolutions.

Mr. Baker of Hillsborough moved that the House nonconcur with the Senate in the adoption of said amendment,

Mr. Baker of Hillsborough called for the reading of the report accompanying said resolutions.

Which was read—

But before the question was taken,

Mr. Baker of Hillsborough withdrew said motion.

Mr. Sawyer of Nashua moved that the House concur with Senate in the adoption of said amendment.

And the question being put,

It was decided in the negative.

So the House refused to concur in the adoption of said amendment.

*Ordered*, that the clerk inform the Senate thereof.

A message from Senate by their Clerk :

"Mr. Speaker—The Senate concur with the House of Representatives in the passage of a bill entitled "An act explanatory of and in addition to an act entitled an act making appropriations for the militia of this State for the year 1841, passed June session 1841."

The Senate have reconsidered the vote to postpone to the next session of the Legislature the bill entitled "An act in addition to an act entitled an act relating to the public property in the arsenal at Portsmouth and Lancaster," and concur with the House of Representatives in the passage of said bill."

A further message from the Senate by their Clerk :

"Mr. Speaker—The Senate recede from their amendment to the resolutions relating to the subject of the Northeastern Boundary, and have passed said resolutions.

The Senate concur with the House of Representatives in the passage of the resolution appropriating one hundred and eighteen dollars for furnishing the county of Carroll with a set of standard weights and measures."

On motion of Mr. Baker of Hillsborough—

The House adjourned.



## SATURDAY, JULY 3, 1841.

On motion—

*Resolved*, That the rules of the House be so far suspended that the reading of the Journal of yesterday be dispensed with.

Mr. Wight, from the joint committee on Engrossed Bills, reported that they have carefully examined and find correctly engrossed bills of the following titles, and the following resolutions, to wit :

“An act to incorporate the People’s Mutual Fire Insurance Company.”

“An act to alter the times of calling out the militia for inspection.”

“An act in favor of Light Infantry and other companies in this State.”

A resolution relating to Artillery companies in this State.

“An act explanatory of and in addition to an act making appropriations for the militia of this State for the year 1841, approved June session 1841.”

“An act in addition to an act entitled an act relating to the public property at the arsenal at Portsmouth and Lancaster.”

“An act relating to Railroads.”

A resolution directing the county officers of the counties of Belknap and Carroll to be furnished with copies of the statute laws.

“An act to limit the liability of Bank Directors, and to prohibit officers of banks from receiving compensation for services in certain cases.”

A resolution granting one copy of Carrigain’s map to each incorporated academy and other incorporated institutions in this State.

A resolution appropriating one hundred and eighteen dollars for military carriages, guns and harnesses.

A resolution in favor of the Winnipisseogee Guards.

“An act securing to mechanics and laborers a lien on buildings, ships and other vessels.”

“An act establishing the times and places of holding courts of Probate in the County of Strafford.”

“An act in addition to an act relating to the organization of the courts of justice.”

“An act to unite school district No. 6 in Epsom, with Republican school district in Pittsfield.”

“An act to alter the names of certain persons.”

"An act making appropriations for the Militia of this State for the year 1841."

"An act relating to Railroads."

"An act to divide the State into districts for the choice of Senators."

"An act to incorporate Engine Company No. 1, in Mason Village."

"An act discharging an officer of the militia from arrest."

"An act in addition to an act entitled an act to incorporate the Amoskeag Falls Bridge."

"An act to enable Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in New Hampshire."

"An act in favor of Swanzeey Artillery Company."

"An act to incorporate Concord East Village Fire Engine Company."

A resolution prescribing the duty of Bank Commissioners.

"An act in addition to and in amendment of an act entitled an act to constitute the counties of Belknap and Carroll, passed Dec. 23, 1840."

"An act in amendment of an act entitled an act in addition to an act entitled an act to incorporate the Rockingham Mutual Fire Insurance Company, approved June 26, A. D. 1838."

"An act for altering times and places for holding Courts of Probate in the county of Hillsborough."

"An act to divide the county of Grafton into two Judicial districts."

Which were severally signed by the Speaker.

*Ordered*, That the Clerk inform the Senate thereof.

On motion of Mr. Colby—

*Resolved*, That a committee of ten be appointed on the part of the House with such as the Senate may join to wait on His Excellency the Governor and inform him that the Legislature having finished the business of the session, are now ready to be adjourned, to meet again at the Capitol in Concord on the last Wednesday of May next.

*Ordered*, That Messrs. Calley, Parker of Fitzwilliam, Rollins of Barnstead, Ferrin, Mooney, Pierce of Hillsborough, Spalding, Prescott, Odlin and Johnson, be the committee.

*Ordered*, That the Clerk request the concurrence of the Senate therein.

A message from the Senate by their Clerk:

"Mr. Speaker,—The Senate concur with the House of Rep-

representatives in the appointment of a joint select committee to wait upon His Excellency the Governor, and inform him that the business of the present session being finished, both branches of the Legislature are ready to be adjourned to the last Wednesday of May next,—and have on their part joined Messrs. Pickering and Johnson.”

Mr. Wight, from the joint committee on Engrossed Bills, reported that they had presented to His Excellency the Governor all the Engrossed Bills, resolutions and addresses which have passed both branches of the Legislature during the present session.

Mr. Calley from the joint select committee appointed to wait on His Excellency the Governor and inform him that the business of the present session being finished, both branches of the Legislature are now ready to be adjourned to the last Wednesday of May next,—reported that they had attended to the duty assigned them.

A message from His Excellency the Governor, by the Secretary of State:

“Mr. Speaker:—I am directed by His Excellency the Governor to inform the House of Representatives that he has approved all bills, resolutions and addresses which have been presented for his consideration during the present session, and that agreeably to the wish of the Legislature and the provisions of the constitution, he now adjourns the Legislature to the last Wednesday of May next.

The Speaker then declared the House adjourned accordingly.

Attest—

HARRY HIBBARD, *Clerk.*



DATE

Proprietor  
Manager  
President  
Secretary  
Treasurer

Address  
City

By order of the Board of Directors  
Secretary

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
at \_\_\_\_\_  
Secretary

# APPENDIX.

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## REPORT

### OF THE JOINT COMMITTEE TO AUDIT THE ACCOUNT OF THE TREASURER.

The joint committee appointed to audit the accounts of the Treasurer of this State,—Report, That they have carefully examined the following accounts from June 1st, 1840, to June 1st, 1841:

1. A bond due the State from Jasper Elkins and others, dated August 1, 1830, principal, \$307 00

Cancelled by balance due on said bond, (interest excepted) \$307 00

2. An account of stock in New Hampshire Bank, \$10,000 00

By 20 shares in said Bank, 10,000 00

3. A general cash account embracing the following items of credit, to wit:

Balance of cash in the Treasury, as found by the committee on settlement with the Treasurer, June 1, 1840,

21,992 18

Cash of Thomas Triggs, 46 25

Cash borrowed of Mechanicks' Bank, Concord, 20,000 00

Cash dividend on stock in N. H. Bank, 550 00

Cash of James Willey, land agent, 151 41

Cash for State tax, 1839, 1,574 86

Cash for State tax, 1840, 39,275 00

Cash, error in pay roll, 9 50

Cash of Secretary of State for civil commission, 629 00

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Amounting to

\$84,228 20

Which is accounted for as follows, viz :

Paid sundry orders for salaries of Governor, Judges of Superior Court, Court of Common Pleas, Judges and Registers of Probate, Attorney General, Secretary, Treasurer and Warden of the State Prison,	17,235 24
Paid travel and attendance of the members of the Council at their several sessions, the Senate and House of Representatives June and November session, 1840,	35,501 80
Paid appropriations for State Prison,	10,534 81
Paid appropriation for blind,	1,125 00
Paid appropriation for deaf and dumb,	1,275 00
Paid military appropriations,	4,088 70
Paid bounties on wolves, bears, wild cats and foxes,	1,814 75
Paid for Geological Survey,	2,439 00
Paid sundry orders drawn by the Executive, not included in the above account,	6,138 79
Balance in the Treasury June 1, 1841,	4,075 11
	<hr/>
	\$84,228 20

All which are correctly cast and duly vouched.

JAMES PICKERING,  
THOMAS P. TREADWELL,  
SAMUEL SWASEY,  
WM. W. STICKNEY,

## SECOND REPORT

### OF THE TRUSTEES OF THE NEW HAMPSHIRE ASYLUM FOR THE INSANE.

*To the Honorable,  
the Legislature of the State of New Hampshire.*

The Trustees of the New Hampshire Asylum for the Insane, who were required by the act of the Legislature of Dec. 17, 1840, to report at this session the progress made, the amount and condition of the funds on hand and such other information as they may deem important for their consideration, respectfully submit the following Report:

That immediately after the passage of the act authorizing them to proceed in the erection of an Asylum, on condition that the



town of Concord should transfer and convey to said Asylum sureties to the amount of \$9,500,00, they met and organized the Board by choosing a President, Secretary and Treasurer, and proceeded to locate said Asylum in the town of Concord, about three fourths of a mile south westerly from the State House, said town of Concord having previously secured to said Asylum the sum of \$9,500.

The farm purchased for the use of said Asylum consists of between one hundred and twenty and one hundred and twenty-one acres, for which was paid \$4,100.

A Building Committee has been appointed, authorized to erect suitable buildings on the land obtained for that purpose, who have proceeded to contract for the erection of said Asylum, and the contractors are now engaged in laying the foundation and preparing and furnishing the materials for the performance of their contracts.

Most of the principal contracts having been made and to the amount of about sixteen thousand dollars, the Trustees feel great confidence, that the expense of erecting the Asylum will not much, if any, exceed the estimate made to the Legislature, at its last session.

From the contracts and progress already made, the Trustees expect the exterior of the building to be completed the present season, and the whole to be finished for the reception of one hundred and twenty patients by the first of November 1842.

The condition of the funds remain the same as reported at the last session of the Legislature, with the exception of about \$5,000 expended for the Farm and materials, and which has been principally received from the donation made by the town of Concord.

It is with real satisfaction that the Trustees are able to state that this eminently useful enterprise is in so rapid progress, and that the prospect is so favorable, that a retreat for that unfortunate class of our fellow men, the insane, will soon as practicable be furnished in New-Hampshire.

JOHN CONANT,  
ENOS STEVENS,  
JN. H. STEELE,  
IRA StCLAIR,  
JOSIAH STEVENS, Jr.  
SAM'L SWASEY,  
JOHN S. WELLS,  
G. W. KITTREDGE  
JOSEPH LOW,  
C. H. PEASLEE,

*Trustees  
of the N. H.  
Asylum for  
the Insane.*

Concord, June 4th, 1841.

## REPORT

### OF THE COMMISSIONERS OF LITERARY FUND.

*To the Honorable Senate,  
and House of Representatives:*

In obedience to an act entitled "An act to establish a Literary Fund, to be collected from the several Banking Corporations within this State," the Commissioners therein named respectfully submit to the Honorable Legislature the amount, condition and circumstances of said fund, viz:

Cash on hand remaining undistributed, \$106,58  
Received from the several Banks in the State this 9th June, 1841, viz:

Ashuelot Bank,	500,00
Cheshire Bank,	500,00
Claremont Bank,	300,00
Commercial Bank,	750,00
Connecticut River Bank,	300,00
Derry Bank,	500,00
Dover Bank,	500,04
Exeter Bank,	500,00
Farmers' Bank,	325,00
Grafton Bank,	487,50
Granite Bank,	500,00
Lebanon Bank,	500,00
Manufacturers' Bank,	500,00
Mechanicks' Bank,	500,00
Merrimack County Bank,	500,00
New Hampshire Union Bank,	750,00
Nashua Bank,	500,00
Lancaster Bank,	250,00
Pemegewasset Bank,	250,00
Piscataqua Bank,	1,500,00
Portsmouth Bank,	500,00
Rockingham Bank,	500,00
Rochester Bank,	500,00
Strafford Bank,	500,00
Winnipisseogee Bank,	535,00

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\$12,947,54

Which sum remains to be distributed this year.

No returns have been received this year from the following Banks, viz: New Hampshire, Concord, and Wolfborough.

JOHN PAGE,	} Commissioners of Literary Fund.
JOSIAH STEVENS, Jr.	
ZENAS CLEMENT,	

June 9th, 1841.

## REPORT

### OF THE WARDEN, PHYSICIAN AND CHAPLAIN OF THE NEW HAMPSHIRE STATE PRISON.

#### WARDEN'S REPORT.

*To the Honorable General Court, June Session, 1841.*

The Warden of the State Prison would respectfully present the following report of the financial operations of the Institution, the number of prisoners in confinement, their employment, together with a general statement of its concerns on the 30th of April, 1841.

#### INCOME

*From September 1, 1840, to April 30, 1841.*

#### SHOE SHOP.

Stock on hand Sept. 1, 1840,	8 99
Stock since purchased and pay of overseer,	8,615 28
	\$8,624 27
By receipts and charges,	7,914 88
By stock on hand April 30, 1841,	2,045 50
	\$9,960 38
Profit,	\$1,336 11



**CABINET SHOP.**

Stock and tools on hand Sept. 1,		
1840,	940 56	
Stock since purchased and pay of overseer,	3,890 29	
	<hr/>	\$4,830 85
By receipts and charges,	2,640 34	
By stock and tools on hand April 30, 1841,	3,846 02	
	<hr/>	\$6,486 37
	Profit,	\$1,655 52

**SMITH SHOP.**

Stock and tools on hand Sept. 1, 1840,	760 48	
Stock since purchased and pay of overseer,	2,896 51	
	<hr/>	\$3,656 99
By receipts and charges,	3,174 89	
By stock and tools on hand April 30, 1841,	2,005 19	
	<hr/>	\$5,180 08
	Profit,	\$1,523 09

**INTEREST ACCOUNT.**

By interest on sundry notes and accounts,	383 44	
To interest paid sundry notes and accounts,	175 64	
	<hr/>	
	Gain,	207 80
	<hr/>	
Total amount of gain,		\$4,722 52

**EXPENDITURES.****EXPENSE ACCOUNT.**

Stock on hand Aug. 1, 1840,	1,067 97	
Pay of Dep. Warden, Chap- lain, Physician and Watch- men, Fuel, Oil, &c.,	2,574 08	
	<hr/>	\$3,642 05

By articles sold,	82 24	
By stock on hand April 30, 1841,	1,580 44	
	<u>          </u>	\$1,662 68
Expended,		\$1,979 37

## CLOTHING AND BEDDING.

Stock on hand Aug. 1, 1840,	193 45	
Since purchased,	476 53	
	<u>          </u>	669 98
By Stock on hand April 30, 1841,	348 18	348 18
	<u>          </u>	
Expended,		\$321 80

## PROVISIONS.

Stock on hand Aug. 1, 1840,	497 43	
Since purchased,	1,830 70	
	<u>          </u>	\$2,328 13
By hides and tallow sold,	121 71	
Stock on hand April 30, 1841,	705 22	
	<u>          </u>	826 93
Expended,		\$1,501 20

## PROFIT AND LOSS.

To paid commissions, &c.,	639 03	639 03
By receipts of visitors, &c.,	179 50	179 50
	<u>          </u>	
Loss,		\$459 53

Total amount of expenditures, \$4,261 90

Dr.	DISBURSEMENTS AND INCOME.		Cr.
To paid commissions, &c.,	639 03	By receipts from visitors, &c.,	179 50
To expense account,	1,979 37	By Smith Shop	1,523 09
To provisions,	1,501 20	By Shoe Shop,	1,336 11
To clothing and bedding	321 80	By Cabinet Shop,	1,655 52
To balance, being profit carried to stock account,	460 62	By interest account,	207 80
	<hr/>		<hr/>
	\$4,902 02		\$4,902 02

Amount of property on hand Aug. 1, 1840, as then valued,  
including \$4,500 old debts since carried to suspense account,

12,742 39

Amount owing Aug. 1, 1840, (since paid) 4,346 03

\$8,396 36

Appropriations of 1838 and 1840, 12,000 00

Amount paid M. C. Pillsbury, Esq., for  
money advanced during his adminis-  
tration and interest on same, 4,346 03

Amount expended in repairs, 608 69

4,954 72

\$7,045 28

Remaining in Treasury April 30, 1841, 2,000 00

Amount of appropriations used in the  
business operations of the Prison,

\$5,045 28

Amount of property on hand Aug. 1,  
1840,

12,742 39

Deduct bad debts,

4,519 23

\$8,223 16

Balance of appropriation after deduct-  
ing amount paid Capt. Pillsbury and  
expended in repairs,

\$7,045 28

Balance gained from Sept. 1, 1840, to  
April 30, 1841,

460 62

Amount of capital April 30, 1841,

\$15,729 06

The capital 30th April, 1841, consists, viz:

Amount of old property on hand inventoried at  
the reduced prices,

\$3,038 56

Raw materials, manufactured articles, new tools  
and machinery, purchased since Aug. 1, 1840,  
consisting of Iron, Steel, Lumber, Leather,  
Cloth, Beef, Potatoes, &c. &c.,

\$7,492 00

Balance of book account,

3,188 21

Cash in Treasury,

2,000 00

" on hand April 30, 1841.

10 29

\$15,729 06



## STATEMENT OF CONVICTS.

Number of convicts in confinement April 30, 1840,	78
“ “ rec'd year ending April 30, 1841,	28
	—106
Discharged by expiration of sentence,	13
Pardoned by executive,	7
Died,	2
Escaped,	0
	—22
Remaining in confinement April 30, 1841,	—84

## EMPLOYMENT.

Shoe Shop,	25	Cooks,	2
Cabinet Shop,	22	Sweepers and Lumpers,	4
Smith Shop,	21	In solitary per order Court,	2
Stone Cutters,	5		—
Washing and Mending,	3	Total,	84

## CRIMES.

Stealing,	36	Rape,	2
Stealing Horse,	8	Attempt Rape,	4
Stealing Sheep,	5	Arson,	4
Stealing Oxen,	1	Murder 2d degree,	2
Perjury,	1	Attempt Murder,	2
Forgery,	3	Manslaughter,	2
Store breaking,	7		—
Burglary,	7	Total,	84

## AGES WHEN COMMITTED.

From 15 to 20 years,	11	From 40 to 45 years,	3
“ 20 to 25 “	20	“ 45 to 50 “	6
“ 25 to 30 “	16	“ 50 to 60 “	6
“ 30 to 35 “	14	“ 60 to 70 “	3
“ 35 to 40 “	5		—
		Total,	84

## NATIVES OF

New Hampshire,	53	New York,	1
Maine,	5	England,	2
Massachusetts,	12	Ireland,	2
Vermont,	5	Canada,	2
Pennsylvania,	1		—
Connecticut,	1	Total,	84

## TERM OF SENTENCE.

Life and 2 years solitary,	1	7	years and 10 days sol.	1
Life and 30 days solitary,	2	7	" and 3 mo's sol.	1
Life and 15 " "	1	7	" and 1 month sol.	1
Life,	6	6	"	5
22 years,	1	5	"	17
15 "	1	5	" and 10 days sol.	2
14 "	1	4	"	9
10 "	4	3	"	17
9 "	1	2	"	6
8 " and 20 days sol.	1	2	" and 10 days sol.	2
8 "	2			—
7 "	2		Total,	84

## SENTENCES OF THOSE COMMITTED THE PAST YEAR.

2 years solitary and life,	1	6 years,	1
30 days " "	2	10 days sol. and 5 "	2
15 " " "	1	5 "	2
14 years,	1	4 "	1
10 "	1	3 "	5
20 days sol. and 8 "	1	10 days sol. and 2 "	2
3 mo's sol. and 7 "	1	2 "	5
1 mo. sol. and 7 "	1		—
10 days sol. and 7 "	1	Total,	28

The 28 convicts were convicted in counties following—

Rockingham,	5	Grafton,	6
Strafford,	1	Coos,	0
Cheshire,	2	Belknap,	0
Merrimack,	3	Carroll,	0
Hillsborough,	8		—
Sullivan,	3		28

*Deaths year ending April 3, 1840.*

Names.	When committed.	Crime.	Sentence.	When died.
James Tebbets,	Dec. 15, 1837	Incest.	10 days sol. and 7 years.	Died Aug. 27, 1840.
Jacob Johnson,	May 11, 1837,	Forgery,	10 days sol. and 4 years.	Died Feb. 23, 1841

*Pardoned year ending April 30, 1841.*

Names.	When com'ted.	Crimes.	Sentence.	When pardoned.
James McCoy.	Oct. 13, 1836.	Horse stealing.	5 years.	May 16, 1840
Nicholas Trask.	Oct. 13, 1836.	Stealing.	4 years.	June 19, 1840
Geo. Howard.	Oct. 13, 1836.	Burglary.	6 years.	June 19, 1840.
Leonard Edson.	April 12, 1831.	Att. to murder.	10 days sol. and 10 years.	June 11, 1840.
Joseph P. Hoyt.	Oct. 13, 1839.	Stealing Cow.	3 years.	Dec. 17, 1840.
Moses B. Hussey.	Feb. 6, 1840.	Att. to murder.	10 days sol. and 1 year.	Dec. 17, 1840.
N. Pickering.	Aug. 15, 1838.	Stealing.	3 years.	Dec. 17, 1840.

The number pardoned the past year is but about half the usual number pardoned yearly at this Institution. This number is greater by about 10 per cent. than at similar institutions in the U. S. I have noticed that those prisons where pardons are seldom granted, are altogether more successful, not only in the reformation of convicts and suppression of crime, but in pecuniary matters also.

The foregoing statements show the actual business operations of the prison since August 1, 1840. On that day the Burley contract was discontinued, more than one month was occupied in cleaning, repairing and re-fitting the shops, removing and putting up anew the steam engine and other machinery : since then the convicts have been actively and industriously employed, for account of the State, at smithing, cabinet work and shoe making.

They have, as will be seen, earned in eight months, \$4,722 52. Their expenses for the past nine months have been \$4,261 90, leaving a balance gained to the State of \$460 62.

Good order and discipline prevail throughout the establishment. We have, as will be noticed by the report of Dr. Carter, the Physician, been highly favored with good health within the prison the past year.

In regard to the moral condition of the inmates of this Institution, I would beg leave to refer to the report of the Chaplain.

Permit me, in conclusion, to bear testimony to the faithful and energetic manner in which the Deputy Warden, (Mr. L. C. Pillsbury,) and other officers of the prison have discharged their arduous and various duties.

I would respectfully request the members of the General Court to visit the prison and examine for themselves its condition.

Respectfully submitted,

LAWSON COOLIDGE, Warden.

May 1, 1841.



*To the Directors of the N. H. State Prison, the Physician respectfully begs leave briefly to Report,*

That the general health of the inmates of the institution during the year ending on the 30th day of April last has been unusually good. The loss of time and labor, on account of sickness, it is believed, has been less during the past year than has occurred annually for several preceding years. No epidemic nor fever to any considerable extent, has prevailed during the year. The diseases which have occurred have been chiefly such as result either from derangement of the digestive organs, or from exposure to the frequent, great, and sometimes sudden changes of temperature incident to our climate, such as catarrhal complaints, rheumatism, &c. They have, for the most part, been mild, readily yielding to medicine, a regulated diet, and short confinement to the celi, seldom finding it necessary to admit the patient into the Hospital for treatment. Two fatal cases, however, have occurred during the year. One was a malignant disease of the lower jaw bone and adjacent parts, of more than a year's standing, and altogether of an incurable nature; the other was a chronic disease of the lungs, alike beyond the reach of remedies.

During the last eight or nine months the convicts have performed their daily task with an extraordinary degree of cheerfulness and contentment, as has been manifest from the deportment, infrequency of complaint, or feigning sickness on their part; and contentment of mind, or an approximation to it, will alike produce its beneficial effects on the health either *within* or *without* the walls of a penitentiary.

EZRA CARTER.

June 2, 1841.

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*To His Excellency the Governor and the Honorable Council,  
Directors of the New Hampshire State Prison:*

GENTLEMEN—

While our penal laws are intended to inflict a just punishment on the criminal, it is no less gratifying to every philanthropic mind to contemplate the fact that they are also designed to reclaim and reform the transgressor. Punishment due to crime is one object—reform another—and while justice requires the first, every moral principle of man will cheerfully sustain the second.

In relation to the unhappy class of men under your general watch,

it is undoubtedly true, that unjust opinions have been entertained by community. The inmates of our prisons are generally looked upon as being so hardened and abandoned as not to be within the reach of moral effort, and that their reformation is altogether hopeless. But why should it be so? They are still men, and they possess the feelings and sympathies of men. Many of them are but youth, in whom the affections and sensibilities of our nature are tender and easily moved. Nearly one half of the convicts in our prison have committed their crimes through the influence of intoxicating liquor—others were led from the path of virtue by vicious companions, while another class were neglected in childhood, grew up destitute of all moral, religious, and even intellectual training, and were made an easy prey to alluring vice—while yet another class have been the subjects of early moral culture, have virtuous connections, and have moved in respectable circles. All these have now the advantages of seclusion from the scenes and temptations of the world, for serious reflection, and are favorably situated for receiving instruction and of being profited by the plain and faithful exhibitions of divine truth. Under such circumstances, why may there not be a reasonable expectation that many of the prisoners will be induced by the powerful incentives placed before them, to forsake their evil ways and pursue a moral and virtuous course.

During the past year I have preached in the Chapel once on the Sabbath, and the attention to the word has been such as to encourage the hope that its influence would not be lost. I have passed from cell to cell several times, and endeavored to impart suitable instruction to each individual, verbally and by means of moral and religious tracts. These interviews with the prisoners have been of the most pleasing character—instead of a single instance of opposition or disrespect, these visits have been earnestly solicited and thankfully received. My own heart has been much affected, and a deep sympathy has been enlisted in their behalf, as I have listened to the tale of the past—the frank acknowledgements of guilt, and seen the tears trickling down and falling from the cheek of those who manifested signs of deep contrition. There is reason to believe that, after making all due allowances for deceptions, there are several in whose hearts the principles of our holy religion have been implanted, and which will be evinced in future time by fruits meet for repentance.

In conclusion, it is ardently to be hoped that this class of men will not be forgotten as subjects of moral improvement, but, while they may deservedly endure penal inflictions for their past misdeeds, they may also enjoy those means of moral and religious

instruction, which, by the blessing of God, will affect their hearts, and produce a thorough reformation of character.

Respectfully submitted,

EDMUND WORTH, Chaplain.

Concord, June 1, 1841.

## REPORT

### OF THE STANDING COMMITTEE ON THE STATE PRISON.

The standing committee on the State Prison, to whom was referred "so much of the message of His Excellency the Governor, as relates to the State Prison," and also the report of the Warden of that Institution—

#### REPORT

That they have carefully examined the books of the Prison, together with the vouchers for each expenditure; all of which they find to correspond with the statement of the financial concerns of the institution as exhibited in the report of the Warden of the Prison.

So far as the committee were able to judge from an examination of the vouchers laid before them, they were satisfied that the funds of the institution have been judiciously expended by the Warden in the purchase of materials, provisions, &c. &c., facts which warrant the committee in believing that under its present management, the institution can be sustained without expense to the State, and may ultimately be made a source of profit.

The amount of capital belonging to the Prison on the 30th day of April 1841, was

\$15,729 06

Included in the above, is a debt due from Gordon Burley Esq. late contractor for the labor of the prisoners, amounting to about \$2,500.

With the present amount of capital it is believed, that the business of the institution may be successfully carried on, without any additional appropriations.

The committee would take this opportunity of suggesting the expediency of repealing a law making solitary imprisonment a part of the punishment of convicts in certain cases; also, of pro-



viding by law, that it shall be the duty of the Warden of the Prison, to retain convicts in certain cases, (such as turbulent and disorderly behaviour) to work out costs of prosecution, or a portion of those costs, and to prevent so many rogues from escaping from prison by *pardon*.

All of which is respectfully submitted with the accompanying resolution.

THOMAS P. TREADWELL, for the Committee.

*Resolved*, That so much of the above report as relates to the repeal of the law making solitary confinement a part of the punishment of convicts in certain cases; so much of the report as relates to the expediency of pardoning; that it shall be the duty of the Warden to retain convicts in certain cases, and to prevent rogues from escaping from prison by pardon, be referred to the committee on the Judiciary, with instructions to report by bill or otherwise.

## REPORT

### OF THE COMMITTEE ON BANKS.

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The committee on Banks, to whom were referred the returns of the several Banks in the State communicated to this House by His Excellency the Governor, ask leave to report that they have carefully examined said returns and have made an abstract thereof, exhibiting the condition of the Banks at the time of their latest returns, which abstract is herewith communicated and made a part of this report.

The committee have also compared the returns with the reports of the Bank Commissioners, representing the condition and circumstances of the Banks at the several times when they were respectively last examined, and from such comparison are brought to the conclusion that the returns have been made in good faith, and may be relied upon as correct.

The committee are gratified to be able further to report, that in their opinion the Banks in this State have in general been conducted in a manner consistent with the public welfare. Their bills in circulation do not appear to be redundant, when compared with the probable wants and convenience of the community, nor to be in such abundance as to exceed proper and safe limits as they relate to the means provided for their redemption. And although the profits of banking on principles thus prudent and cautious may have been less in this State than have been realized in other places where banking has been conducted in a manner less guarded; the supposed loss on account of such commendable caution, is believed to be more than made up by the public approbation, and confidence thereby merited and secured.

The committee deem it due to the Banks and to the public to say that they consider it a matter of just State pride that the circulating medium furnished by the Banks of this State, bears the most favorable comparison when contrasted with the like medium flowing from the Banks of any other State of the Union.

The committee have not included in the abstract the Wolfborough and Concord Banks, they having ceased to act as banking institutions, except for the purpose of winding up of their affairs.

JOHN PORTER, for the Committee.



*Abstract of the returns of the Banks in the State of New Hamp-*

Names of Banks.	Amount of Capital Stock.	Amount of Debts of Stockhold- ers and Di- rectors, se- cured by Stock.	Value of Real Estate.	Total am't of debts due the Bank.
New Hampshire Bank.	145,500	16,385	8,191 18	158,606 69
Portsmouth Bank.	100,000	4,026 25	5,616 93	131,383 75
Rockingham Bank.	100,000	10,652	525	135,311 80
N. H. Union Bank.	150,000	19,248	5,425	172,972 42
Piscataqua Bank.	300,000	6,035	none.	401,870
Commercial Bank.	150,000	43,514 53	none.	216,308 19
Granite Bank.	100,000	2,157 76	3,893 98	133,653 13
Exeter Bank.	100,000	2,300	1,000	138,933 79
Merrimack County Bank.	100,000	4,814	4,671 65	152,037 55
Mechanicks Bank.	100,000	10,484	13,770	146,629 08
Strafford Bank.	100,000	4,030	4,500	151,787 03
Dover Bank.	100,000	6,651 57	4,200	153,055 45
Nashua Bank.	100,000	1,200	none.	175,073 58
Derry Bank.	100,000	7,304 04	2,000	136,348 83
Manufacturers Bank.	100,000	13,538 00	3,416 56	126,063 14
Cheshire Bank.	100,000	10,600	2,054	131,924 07
Grafton Bank.	97,500		5,033 34	174,130 12
Rochester Bank.	100,000	4,658 83	1,348 94	127,931 95
Lebanon Bank.	100,000	6,080	1,325	117,244 56
Ashuelot Bank.	100,000	150	3,597 35	145,553 15
Winnipissiogee Bank.	107,000	8,128	4,057 47	137,060 63
Pemigawasset Bank.	50,000	4,250	3,126 05	74,508 38
Connecticut River Bank.	60,000	none.	2,799 65	120,000
Claremont Bank.	60,000	500	2,222 51	107,022 03
Farmers Bank.	65,000	2,100	2,350	107,942 42
Lancaster Bank.	50,000	30,761 75	500	86,501,86
	\$2,735,000	216,565 73	85,618 61	3,859,853 60

*shire, showing their condition on the first Monday of June 1841.*

Amount of Debts due from Direct- ors, as Prin- cipal and Surety.	Amount of Specie in Vault.	Amount of Bills of other Banks	Amount of Deposites in the Bank.	Amount of Deposites in other Banks for redemp- tion of Bills.	Amount of Bills in cir- culation.
21,493 73	9,850 77	10,718	20,176 26	2,000	36,299
3,000	11,201 93	4,166 50	28,718 16	13,282 09	30,829
5,700	9,734 70	5,336 18	45,231 21	16,957 79	19,453
19,630	10,301 47	1,918 44	6,550 59	4,994 59	31,423
71,790 71	10,235 19	6,767 86	42,878 99	22,598 87	57,812
10,430	11,573 77	37,756 40	65,758 19	65,764 25	71,405
11,446 50	5,611 10	1,896 16	5,903 39	15,995 55	52,576
5,700	2,657 92	1,435	10,201 74	22,209 15	43,273
10,510 84	24,860 28	5,259 37	20,374 59	15,804 27	65,851
18,127 09	6,105 81	2,603	12,990 01	10,098 30	57,670
16,398 04	10,895 80	1,444	21,166 33	13,685 16	47,659
14,153 86	3,822 30	1,056 97	19,977 05	16,938 68	52,513
14,375 20	5,808 75	2,456	9,612 94	9,218 36	73,343
16,144 21	5,344 28	3,226	12,694 14	8,055 94	40,196
17,546 05	6,364 40	2,841	9,919 78	17,716 91	44,675
20,250	3,283 77	2,840	19,168 42	20,786	39,741
39,379 48	8,270 74	4,903 50	16,424 55	2,972 51	59,478 50
2,495	7,086 21	1,073	3,390 52	13,320 15	45,000
3,190	9,097 09	2,219	2,810 16	26,505 53	44,978
22,441 13	6,809 63	4,179	6,198 17	13,918 74	64,183
27,252 57	5,839 43	879	1,579 47	27,234 56	61,978
22,877 39	2,509 71	744	3,592 74	2,040 39	24,886
49,138 95	7,668 94	1,157	32,178 65	10,000	44,668
18,502 49	1,421 50	939	2,763 89	3,972 61	38,040
none.	7,074 28	2,375	968	7,431 62	49,368
30,458 49	882,12	74	8,324 21	6,347	32,411
492,431 73	194,311 89	110,263 38	429,532 10	389,759 02	1,229,708 50

## JOURNAL

### **Of the Committee on Roads, Bridges and Canals, in their proceedings upon the memorial of Thomas J. Laton and others.**

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Journal of the proceedings of the committee of the House of Representatives on Roads, Bridges and Canals, consisting of Messrs. Perrin, Towle of Hampton, Chandler, Kingsbury of Alstead, Smith of Haverhill, Ames, Woodbury, Wedgewood and Bingham, upon the memorial of Thomas J. Laton and others.

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SATURDAY, JUNE 26, 1841.

The committee assembled at their committee room at eight o'clock, the time at which the memorialists, Thomas J. Laton, John Harris, Ebenezer Harris, Jr., Joseph Couch and Joseph Hills, had been summoned to appear before them.

Present all the members of the committee, except Mr. Smith of Haverhill.

On motion, the committee adjourned to the Senate Chamber, where the memorialists appeared, with their counsel, Ira Perley, Esquire, and the Concord Railroad Corporation, with their counsel, James U. Parker, Esquire.

The memorialists having been called upon to support their memorial, its reading was called for by their counsel, Mr. Perley, and it was thereupon read by the Chairman of the committee.

On motion of Mr. Parker, counsel for the Corporation—

*Ordered*, That the memorialists furnish a specification of the particular acts of oppression of which they complain.

Adjourned to meet again in the Senate Chamber at two o'clock this afternoon.

### AFTERNOON.

Present all the members of the committee, except Mr. Smith of Haverhill.



The subpoena to the memorialists to appear before the committee, June 26, 1841, at 8 o'clock in the forenoon, to support and prove the allegations of their memorial, with the affidavit of the service thereof upon the memorialists June 24, 1841, by Reuben G. Wyman, Sergeant at Arms, was read by the Clerk.

Pursuant to the order of the committee, Mr. Perley, counsel for the memorialists, presented the following specification in writing of the acts of oppression complained of by the memorialists, which was read by the Clerk :

Thomas J. Laton and others on the hearing of their memorial against the Concord Railroad before the Hon. committee of the House of Representatives on Roads, Bridges and Canals, made the following specification of the charges contained in their said memorial.

That the Railroad corporation took possession of the land of Joseph Hill in Nashua for their road, without his consent, or any award or judgment therefor ; that afterwards, Peter Clark, Esquire, the agent of the corporation, induced Mr. Hill to agree that his land might be taken for the road by misrepresenting the terms, on which he had settled with Joseph Couch—That the corporation entered on, and took the land of Thomas J. Laton, for their road, without his consent and against his express prohibition ; that the question of the damages which Mr. Laton should receive was by him and the corporation submitted to three arbitrators ; that the corporation, by their said agent, revoked the submission by refusing to stand by the award, if it should be too high ; that the said corporation still threaten to proceed with their work on the [said] Laton's land without his consent—

That the corporation have taken for their road the land of John Harris, Joseph Couch, Ebenezer Harris, Jr., Ebenezer Harris, and Ruth Wheeler, without their assent, or any judgment or award therefor, and against their express prohibition—

That the corporation heretofore agreed to refer the question of damages for their road's passing over William Eayr's land to three arbitrators, and without reasonable cause revoked their submission and refused to have the reference proceed ; and also afterwards agreed to refer the same question to a single arbitrator, and unreasonably revoked the said last mentioned submission."

On motion—

*Voted.* That the committee will now proceed to hear the evidence which the memorialists may offer to sustain their specification.

On motion of Mr. Bingham—

*Voted, That the examination of witnesses be conducted by written interrogatories.*

Mr. Perley, counsel for the memorialists, then proceeded to call witnesses to sustain the allegations in their specification.

*Joseph Hills*, having been first duly sworn, testified as follows in reply to the following written interrogatories to him propounded.

*1st question by Mr. Perley.* Whether the Concord Railroad corporation have entered on any land of yours, if so, when, and under what circumstances?

*Answer.* The Concord Railroad corporation entered on my land about the last of May last. I saw they were coming on to my land and went to see Mr. Clark and asked him if they were coming on for a settlement. He inquired what I asked. I told him \$400. He said he could not come to settle that day, for he was going to Boston. I asked him when he should be back. He replied, on Saturday. I asked him if he would come up and see me when he got back. He said he didn't know that he should have time Saturday, but would come Monday. The next day I met Mr. Clark in the street, he not having gone to Boston, and he told me he would come according to agreement. I was at the village on Monday when he returned from Boston. Met Mr. Clark at the Central House. Had some talk with him. He said he could not give me \$400, but would give \$250. I did not conclude to take that, but told him I would take two thirds what he paid Joseph Couch for both his lots. He said he would give me that, and would be up to see Mr. Couch and me at two o'clock the same afternoon. About half past two o'clock, Mr. Clark came to our house—said he had agreed with Mr. Couch on more favorable terms than what he offered me. I stated to him that I was not willing to take \$250, but would take two thirds what he had settled with Mr. Couch for. He told me he should be at leisure on Friday, and if I would come down we would make the writings. He did not state distinctly what he paid Mr. Couch. On Friday, I went, and Mr. Clark was gone to Bedford. I went again on each of the three next week days, but did not find him at home, and did not see him again for a week or ten days afterwards. I then met him on the street. I don't know which spoke first, but I remarked to Mr. Clark, that it seemed to me things did not look right. I told him I understood he had not settled with Mr. Couch all. I told him I did not consider myself holden as he had not done as he agreed—that, as near as I could understand, he had not offered me two thirds as much as he had offered Mr



Couch. He said I could do as I liked about settling as we had talked of. I never saw Mr. Clark from that time, until after I had signed the memorial now before the committee. Previous to the last conversation I have mentioned with Mr. Clark, they had graded the road entirely across my land, and I supposed had finished work upon it for the present, though they have since constructed what they call cattle guards.

The day the memorial was signed by me, I saw Mr. Clark and he said he was willing to settle with me ; but he gave me to understand that he should not settle with any one, until he saw what the Legislature would do.

*2d question by Mr. Perley.* Whether the corporation have paid or tendered you any sum of money for damages for their road's passing over your land ?

*Answer.* They have not.

*3d question by same.* Whether Mr. Clark represented to you that he had settled with Mr. Couch on terms that would bring the damages for your land under the sum of \$250 according to your previous agreement ?

*Answer.* Mr. Clark told me, as I have before stated, that he had settled with Mr. Couch on terms which would bring my damages by our agreement below the \$250 which he had offered, but still he said he was willing to pay me that sum.

*1st question by Mr. Parker.* How much land did the corporation propose to take of you ?

*Answer.* My lot is 26 rods in width, and Mr. Clark proposed to take a strip four rods in width across it. He said they should not want more than that, and did not wish to fence so much. He said they wanted to take a deed of four rods, but should not fence so much, and I could occupy all they did not fence.

*2d question by same.* Did not the agent of the corporation pay you \$10 for liberty to commence work, before they entered your land ?

*Answer.* He did not. He made me a present of \$10 in consideration, as I understood it, as I was poor, of my trouble in taking care of the cattle in consequence of the fence being thrown down. When Mr. Clark paid me the money, he expressly said it should not in any way relinquish my title.

*3d question by same.* Are you owner of the land spoken of, or only tenant of the same, or have you any title whatever to it ?

*Answer.* The land is under mortgage, but I have the occupation of it during the life time of my father. The land was first conveyed by my father to me, reserving to himself a life estate



therein. I subsequently mortgaged all my interest in the land. I now occupy the land by a verbal agreement with my father. When Mr. Clark and I talked about settling for the land, he proposed to pay me \$50 down, and to pay \$200 towards the mortgage when they should receive a deed.

*4th question by same.* Does not your whole interest in the land cease at the death of your father, and what is his age?

*Answer.* It will so cease, unless I shall settle up the mortgage. My father is over 80 years of age.

*5th question by same.* Has not the equity of redemption been sold and the time expired for redeeming the same?

*Answer.* The equity of redemption has been sold; but the time for redeeming it will not expire till the first of November next.

*6th question by same.* Did you or not consent that the corporation should work on the land, and did you or not board the laborers?

*Answer.* I boarded the hands; but I never told them they might or might not work on the land. I board ten hands now.

*7th question by same.* Did you agree to take \$50 for your interest in the land, and that the \$200 should be paid to Mr. Abbot, and afterwards decline settling in that way?

*Answer.* Yes; that was what we talked of until Mr. Clark did not do as he agreed, and then I told him I would not do it. I told him he had offered Mr. Couch more than he proposed to pay me, and I would not take it. He said I could do as I liked about it.

*8th question by same.* Was not the equity of redemption of this land sold more than three years ago, and if so, why do you say the time of redemption has not expired?

*Answer.* The equity of redemption was sold more than three years ago, and the reason why I say the time of redeeming it has not expired, is because they did not take possession.

*9th question by same.* Can you give the corporation any title whatever to this land?

*Answer.* I can assure to them the occupation of it during the life of my father. I have no lease from my father, but he would give me one any day—I have spoken to him about it.

*4th question by Mr. Perley.* Did you or not repurchase the equity of redemption in your land; if so, when and of whom?

*Answer.* I have never repurchased the equity of redemption.

*5th question by same.* Did you contract with Mr. Clark that the Railroad should have your father's interest in the land for the road in consideration of \$50?

*Answer.* I did so contract in the first place.

*10th question by Mr. Parker.* What security could you give that the corporation should occupy the land, if your father should object ?

*Answer.* I could not give any security, if he should object. I did not ask for any money, until the corporation should have a writing from my father. Mr. Clark told me my father must give them a writing with me, and I engaged he should before the money was paid.

*Joseph Couch*, having been first duly sworn, testified as follows in reply to the following written interrogatories to him propounded :—

*1st question by Mr. Perley.* Whether you made any agreement with the Concord Railroad or their agent, for the passage of their road over your two lots of land ; if so, what was the agreement, and when was it made ? Have the corporation entered on your land ; if so, under what circumstances ?

*Answer.* I did make an agreement, that I was to receive \$400 when conveyance was made. The land was afterwards to be appraised by a Court's committee, and if they awarded more, I was to receive more ; if less, I was to pay back so much of the \$400 as would reduce the sum by me retained to the award of the committee. If I was dissatisfied with the award of the committee, I was to have the right to go to a jury. Mr. Clark said he should not claim that right for the corporation. One of the lots was owned by B. L. Jones, and it was agreed that if he refused to assent to this agreement between Mr. Clark and myself, it was to be void. This agreement was made the last of May last. The next Friday was the day fixed for making the conveyance, and the office of Daniel Abbot, Esq. the place for that purpose. I went to Mr. Abbot's office in the evening, but did not find Mr. Clark there—was informed he had gone to Bedford. I did not see him that evening, nor until the next Tuesday. Not finding Mr. Clark on Friday as he had agreed to meet me, I concluded I was under no obligation to fulfil the agreement, and I so informed Mr. Clark when I saw him the next Tuesday. He did not say I was. I then told him I intended to make a conveyance in fee and to put the price so low that we should close up the bargain for both lots at once, if Mr. Jones would consent, which he was willing to do if I fulfilled my bargain with him to pay \$500 down.

I then offered Mr. Clark the land for \$500, and he said he would let me know soon whether he would give it or not. Next after this, before I again saw Mr. Clark to converse with him on the subject, Jesse Bowers Esq. came and offered me \$450 for



the land. Mr. Clark was present at the same time. After he had offered me \$450, Mr. Bowers asked me if I would take \$475. I told him I would not take less than \$500. They both went away without our having made any agreement. I next saw Mr. Bowers at G. W. Perham's store, and we talked about my land. I told him I did not think \$25 was sufficient to part us—that if it was too much for the corporation, it was not for me, for the sake of settling without further trouble. He said he would see Mr. Clark and do what he could to have it settled. Between the time I had before seen Mr. Bowers and my seeing him at Perham's store, Mr. Clark had been to my house and pretended to tender me \$175 for the lot I owned myself, without regard to the Jones lot. I refused to receive the money. Mr. Clark pretended that \$175 was my rightful proportion of the \$400 which had been agreed upon as the price of both lots, and tendered it as such. He said he was going to tender \$225 to Mr. Jones for the other lot, making in the whole \$400 for the two lots. I have since learned from Mr. Jones, that Mr. Clark did tender him the \$225 and that he refused to accept it. On the same day the workmen entered upon my lot and broke the soil. I went and forbid them doing so. Afterwards, when the contractor was present, I had some conversation with him as to my right to drive his team off the land. I told him I thought I had the right to drive it off—he said he thought not—that he was engaged with his team and should protect it—that he was directed by Mr. Clark to persevere, and should do so, although they had no conveyance of the land. I first forbid the son of the contractor to enter upon the land, and his father in conversation with me at this time admitted that his son informed him I had forbid their entering upon the land. I subsequently saw the son again and told him not to carry away the soil unless they had a better right to it than I had. I had, in my conversation with Mr. Clark before I made the agreement with him, stated that I did not intend they should enter on my land till they had settled with me for it.

The railroad corporation continued upon the land, and I understand have made or graded the road quite through both lots.

*1st question by Mr. Parker.* How much of your land did the corporation propose to buy for the \$400?

*Answer.* A strip 60 rods long and five rods wide was what Mr. Clark and I concluded upon when we made the agreement. I presume the distance across both lots may not be more than 58 rods, though I have not measured it.

*2d question by same.* Have you not settled with the agent of the corporation, or made a bargain for your land?



*Answer.* I made the bargain I have stated, which I considered broken on the part of the agent, Mr. Clark.

The Saturday before the memorial now before the committee was presented for my signature and by me signed, I had some conversation with Jesse Bowers Esq. in relation to the sale of my land. I told him I would take \$475 for the land, and he told me that if the corporation would pay \$450 and no more, he would pay me \$25 out of his own pocket to make up the \$475; but I understood the matter to be left between us to depend upon the willingness of the corporation to pay \$450. This week, on Wednesday, I again saw Mr. Bowers and he told me he intended I should have understood him to become personally responsible for my being paid \$475. He said he would then become thus responsible, if the road were not stopped. I told him I now understood him to make the engagement on his own responsibility, and that I would take the money and convey the land.

*3d question by same.* Before Mr. Clark tendered you the \$175 for the lot you owned, had you been served with a petition for appraisal, and had you received official notice of the security filed for you, and if so, state what that security was.

*Answer.* I had been served with a copy of a petition for a committee of appraisal previous to the \$175 being tendered me by Mr. Clark, and had received official notice of security filed for me in the Clerk's office of the Court of Common Pleas for Hillsborough county. I could not state what the amount of that security was. It was a bond, signed, I supposed by some of the Directors of the Railroad, but I don't recollect what the amount was.

*4th question by same.* When Mr. Clark tendered you the \$175, was it to be in full of your damages, or did he request you to give him a receipt for it, and if so, what was the purport of that receipt?

*Answer.* Mr. Clark did not tender the \$175 in full of damages, but requested me to give him a receipt for it, purporting that so much was received by me, to be accounted for by me towards the damages that might be afterwards awarded by a court's committee, and providing that my costs were to be in no wise affected by this tender.

*5th question by same.* In what particular do you mean to say that Mr. Clark broke his agreement; has he ever refused to comply with the terms of it as he made it?

*Answer.* I mean to say Mr. Clark broke his agreement in not being present at the time and place fixed on for the execution of

writings between us—in not being ready for three or four days to have the papers executed.

Mr. Clark has never refused to comply with his agreement, but has never done it—he was not ready at the time and place agreed on to execute the contract.

*6th question by same.* If Mr. Clark had met you at Mr. Abbot's office as you say he agreed, could you have given him a deed of the land, or had you any power to fulfil the contract?

*Answer.* I could have invited Mr. Jones who had the title of one lot of the land, into the office with me, which was expected to be done. Unless Mr. Jones assented to the agreement, it was to be null by the terms of it. I did not invite Mr. Jones in, thinking it would be time enough when I found Mr. Clark there. I had not procured Mr. Jones's assent, thinking it not to be necessary unless Mr. Clark was there.

*7th question by same.* Can you assign any reason for not accepting the money Mr. Clark tendered you as above for your lot?

*Answer.* I did not consider the money offered according to agreement—it was not tendered till about three weeks after we had agreed to meet at Abbot's office.

*8th question by same.* Have you not repeatedly assigned as a reason why you did not comply with the agreement, that Mr. Jones would not consent to the bargain?

*Answer.* In the first conversation I had with Mr. Clark after the agreement, being on the next Tuesday, I named to him that Mr. Jones seemed to have taken possession and control of his land by forbidding the railroad people to enter upon it as he had; I at the same time told him the time when he should have fulfilled the agreement had gone by. I named the circumstances in relation to Mr. Jones to others.

*9th question by same.* Do you or not mean to say that Mr. Clark agreed to meet you at Mr. Abbot's office at a particular day, and do the writings, and that *this* was a part of the contract?

*Answer.* I do so mean to say.

*10th question by same.* What were you to pay per acre for the Jones field, and when was the bargain made with Mr. Jones for it?

*Answer.* The bargain was made last fall, I could not state at precisely what time. No price per acre was agreed on. I was to pay \$700 for the lot, which contains about 20 acres.

*Question by the committee.* When was the memorial now before the committee signed?

*Answer.* It was signed the day it was sent and presented to the House. It was Monday—I think Monday of last week.



*Question by same.* What is the width of each lot you speak of, what the quantity of land in each, and the value of each lot, as land is estimated at that place?

*Answer.* Each lot is about 30 rods in width where the railroad crosses it. The quantity of land in the Jones lot, I have already stated, is about 20 acres, I have already stated that I gave \$700 for it. There are about 25 acres in the other lot—so considered—I could not state precisely. I consider the soil of this lot as good as that of the Jones lot, but it is not so well improved.

The committee then adjourned to meet again in the Senate Chamber at half past seven o'clock next Monday morning.

*Monday, June 28, 1841.*

Present, Messrs. Perrin, Towle of Hampton, Chandler, Kingsbury of Alstead, Ames, Wedgewood and Bingham.

Resolutions of the House, adopted June 26, 1841, instructing the committee to keep a journal of their proceedings for the use of the House, and for that purpose to employ a Clerk, and also instructing them to hear any evidence offered by the memorialists in this case, tending to sustain the charges of their memorial, whether that evidence related to injuries sustained by the memorialists themselves or by other persons, provided specifications thereof were first furnished the Committee, were read by the Clerk.

Mr. Perley, counsel for the memorialists, rose and remarked that the memorialists for whom he appeared, to wit: Thomas J. Laton, Joseph Couch, Ebenezer Harris, jr. and Joseph Hills, wished to make an application to the committee for leave, so far as they were concerned, to withdraw the memorial now before the committee, on condition that the corporation do not object, having found on recent inquiry that they had misunderstood the facts. He then submitted to the committee an application in writing to that effect, signed by Thomas J. Laton, Joseph Couch, Ebenezer Harris, jr. and Joseph Hills.

Mr. Parker, counsel for the Concord Railroad Corporation, stated that he was instructed by the Directors to say that the Corporation did not object.

In reply to an inquiry by the committee whether any person appeared for John Harris, the other memorialist, or for Ebenezer Harris, whose affidavit had been referred to the committee by order of the House, Ebenezer Harris jr. came forward and stated to the committee that he was authorized to appear for his father, Ebenezer Harris, and for John Harris, the other memorialist.—



He then subscribed the application for leave to withdraw, with his own name, for John Harris and Ebenezer Harris.

The application thus subscribed is as follows:

"The undersigned having subscribed the memorial of Thomas J. Laton and others to the Legislature against the Concord Railroad Corporation, and finding, on recent inquiry, that they have misunderstood the facts, desire leave, so far as the undersigned are concerned, to withdraw the memorial—on condition that the Corporation do not object.

THOMAS J. LATON,  
JOSEPH COUCH,  
EBENEZER HARRIS, Jr.  
JOSEPH HILLS,  
EBENEZER HARRIS, Jr., for  
JOHN HARRIS and  
EBENEZER HARRIS.

June 28, 1841.

The committee then adjourned to their committee room, when  
On motion of Mr. Bingham—

*Voted*, That the committee report to the House the result of their proceedings on the memorial of Thomas J. Laton and others, accompanied by the journal of those proceedings and a resolution granting to the memorialists leave to withdraw their memorial and to Ebenezer Harris leave to withdraw his affidavit and discharging this committee from their further consideration.

The committee then adjourned to meet at their committee room at two o'clock this afternoon.

Attest—ASA FOWLER, *Clerk*.

A true record of proceedings.

Attest—ASA FOWLER, *Clerk*.

## COMMUNICATION

*From Secretary of State, showing the number of pardons from State Prison by the Executive from June 22, 1838, to June 22, 1841.*

*To the Speaker of the House of Representatives:*

SIR—

In obedience to a resolve of the House of June 22d, I herewith transmit an abstract from the Council Records, showing the number of convicts which have been pardoned by the executive from June 22d, 1838, to June 22d, 1841; with the date of their conviction, their offence, term of imprisonment, and date of pardon.

If it is the wish of the House to have full copies from the Council Records of all matters relating to pardons within said periods, as may be inferred from the language of said resolve, one week at least will be required to furnish such copies.

JOSIAH STEVENS, Jr.

Secretary's Office, June 23d, 1841.

A list of persons who have been pardoned from June 22, 1838, to June 22, 1841, with the date of their conviction, crime, term of imprisonment, and date of pardon.

Names.	When convicted.	Crime.	Sentence.	Date of pardon.
1 Jonathan Prescott	May 1836	Stealing.	4 years.	July 26, 1838.
2 Jonathan Rideout, Jr.	Feb. 1832	"	11 "	" "
3 George F. Perkins	Nov. 1837	"	1 year.	" "
4 Henry Wilson	Sept. 1836	Passing counterfeit money.	3 yrs & 10 days sol.	" "
5 John Lowell	Oct. 1834	Attempt to kill.	5 yrs & 10 days sol.	" "
6 Geo. W. Adjutant	Aug. 1832	Stealing.	7 years.	" "
7 Ephraim Wentworth	Oct. 1835	"	3 "	Aug. 4, 1838.
8 Daniel McIntire	April 1835	"	8 "	" "
9 Octavo Nelson	Oct. 1834	"	4 "	" "
10 Richard Burroughs	Jan. 1832	"	7 "	Jan. 1, 1837.
11 Winslow Parker	April 1836	"	7 "	April 1, 1839.
12 Thomas Sawyer	Feb. 1835	House breaking.	3 "	Jan. 1, 1839.
13 Jerome Eastman	May 1838	Stealing.	5 "	May 1, 1839.
14 Thomas Eastman	"	"	1 "	" "
15 Nathan Carr	Feb. 1831	Counterfeiting.	12 yrs & 30 da's sol.	" 20, 1839.
16 Samuel Wilson, Jr. 3d.	"	"	2 years.	" 21, "
17 Wm. Quimby	Feb. 1839	"	2 "	" "
18 Charles Dearborn	"	"	2 "	" "
19 Wm. Drew, indicted	Jan. 1835	Robbery.	Life and 10 days sol.	" "
20 James Moore	May 1836	House breaking & entering in night.	Life.	July 8, 1839.
21 Jno. (alias) Wm. Kenison	Feb. 1832	Stealing.	10 years.	" "
22 John Jones	Sept. 1831	Burglary.	Life.	Sept. 11, 1839.
23 Oliver Welch	Jan. 1832	Manslaughter.	"	Nov. 23, 1839.
24 Samuel Durgin, Jr.	Aug. 1834	Stealing.	7 years.	" "
25 Samuel Pease	Feb. 1835	Horse stealing.	5 "	" "
26 James McCoy	Oct. 1836	Stealing.	10 yrs & 10 days sol.	May 16, 1840.
27 Leonard Edson	April 1831	Assault with intent to kill,	4 years.	June 11, "
28 Nicholas Trask	Oct. 1836	Stealing.	6 "	" 19, "
29 George Howard	"	Burglary.	3 "	Dec. 16, "
30 Nehemiah Pickering	Aug. 1838	Stealing.	3 "	" "
31 Joseph P. Holt	Oct. 1839	"	3 "	" "
32 Moses B. Hussey	Jan. 1840	Assault with intent to kill.	1 "	" "
33 Joseph Hutchins	Aug. 1839	Store breaking.	4 "	" "
34 John C. Williams	Oct. 1840	Stealing.	3 "	June 21, 1841.
				Pardon to take effect 27th July next.



## JUDICIARY REPORT

### ON SUBJECT OF LIMITING THE POWER OF PARDONING OFFENCES.

The committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of limiting the power of pardoning offences, also so much of the Report of the committee on the State Prison as relates to the pardon of convicts, have had the same under consideration, and ask leave to submit the following

#### REPORT :

The number of convicts who have been pardoned within three years, ending June 22, 1841, as appears by the report of the Secretary of State, made in conformity with a resolution of the House, is thirty-four. Of these, one had previously received a pardon, and another has since been committed. In one instance, a convict who had been sentenced for three years was pardoned a few months after his commitment.

While your committee would refrain from all interference with the official duties of the Executive, they would respectfully submit whether the exercise of the pardoning power, carried too far, may not prejudice the interests of the State. It will hardly be expected that the expenses of the State Prison can be defrayed out of the proceeds of the labor of the convicts, so long as the practice of pardoning all those who have capacity and the disposition to work, shall be continued.

But this is not the point of view in which the committee wish to present this subject to the House. It is the tendency of the practice to destroy the influence which the fear of punishment, with the certainty that it would be inflicted, might otherwise exert over those who can be influenced by no other motive. It is a maxim which lies at the foundation of criminal jurisprudence, that the prevalence of crime will be diminished in proportion to the *certainty* of punishment, rather than the *severity*. Make it sure that the commission of crime will be followed by the punishment denounced by the law, and its prevalence will cease. It is the chance of escape which encourages the offender. The certainty that the offence will be punished, though lightly, will present a stronger motive to deter the offender, than the severest penalty with the chance of escape ; and among these, none hold

out so strong a hope, as that of pardon. Remove this, and the terrors of punishment, in the increased certainty of it, will be increased four fold.

Your committee see no reason why the punishment of the law should not be inflicted. It seems to them that the jury who try, and the court who sentence, are the proper tribunal to settle the question of guilt, and the degree of punishment, and if so, any interference to arrest the execution of the law, must, in almost every instance, operate injuriously.

It renders punishment a matter of executive discretion, rather than of fixed statutory limitation, and regulates its infliction by the subsequent conduct of the criminal, rather than his prior guilt.

Sickness, without hope of recovery, or evidence that the prisoner had not a fair trial, should, doubtless, call upon the Executive for interference; but in other cases, your committee question the policy of relieving from punishment by pardon.

Your committee are happy to concur in the views expressed by his Excellency in his annual message, that the "remedy is easy," and "ought to be adopted."

Your committee have directed me to report the following resolution.

A. BAKER, for the Committee.

*Resolved*, That the committee be discharged from the further consideration of the subject.

## EXTRACT

### FROM RECORDS OF EXETER TOWN MEETING.

In March, 1840, the town of Exeter voted "That the selectmen be requested to take the proper measures to have the Railroad of the Boston and Maine Railroad pass by bridges either over or under all the public highways which it will cross within the limits of this town."

After this vote was passed the selectmen examined the several crossings within the town and concluded that a bridge over the Railroad on "Back street" was indispensable for the safety of our citizens. The other crossings were not definitely acted upon at that time.

A notice was sent to the Railroad by the selectmen that a bridge was required to be built at that place.

To this notice they paid no regard, and although forbidden, they carried away from said street some hundred loads of earth.

In February last the selectmen petitioned the Court of Common Pleas for this county for their assistance to carry the requirements of the town into effect.

A large number of depositions were taken to sustain the petition, but many difficulties are thrown in the way and no decision has yet been given in the case.

The Railroad corporation have from the commencement manifested a determination to resist to the utmost all requirements which become necessary for the safety of our citizens.

There are so many difficulties in the law as it now is, that it will be very difficult to get any relief from that source, and the greatest of all is, they have no property upon which an execution could be levied on or debt secured to any amount.

If honest and honorable men had the control of the company's affairs, no difficulty would arise; but as it now is, more summary laws are necessary to prevent the injury of our rights by corporate powers which have been too clearly manifested by this corporation with which we have to contend.

J. BURLEY, for the Selectmen of Exeter.

May 31, 1841.

## REPORT

### OF THE COMMITTEE ON MILITARY AFFAIRS UPON

#### THE RESOLUTION RELATING TO THE AR-

#### SENAL AT LANCASTER.

The Standing Committee on Military Affairs to whom was referred the resolution inquiring into the expediency of prohibiting the Commissary General from depositing any more muskets &c. in the arsenal at Lancaster: also the resolution, That the commissary General be directed to deliver arms from the arsenal at Lancaster to such uniform companies as are entitled to receive the same, upon the requisition of the Adjutant General,—having had the same under consideration, report as follows:



That in the year 1802 a law was passed in the Congress of the United States appropriating the sum of two hundred thousand dollars to be expended annually in the purchase and manufacture of arms to be distributed among the several States and Territories in proportion to their effective militia. By virtue of the provision of that law, this State has received about eleven thousand stand of arms, amounting to the sum of seventy-five thousand dollars, all of which have been distributed among the Militia of this State, except those deposited in the arsenal at Lancaster, and about seven hundred stand of arms remaining in the arsenal at Portsmouth.

The object of Congress in the distribution of said arms was undoubtedly to place within the reach of the citizens of the States and Territories the means of defence in case of invasion, and in the opinion of your committee, no part of the State stood so much in need of these means as the county of Coos at the time of the establishment of the arsenal at Lancaster. At the June session of the Legislature of 1840 a resolution was passed appropriating \$650 for the purchase of a site and the erection of an arsenal at Lancaster with directions to the Commissary General upon the completion thereof to deposit therein fifteen hundred muskets, two hundred rifles, two mounted six pounders with a proper supply of cartridges, bullets, shot and apparatus to be kept therein for use in the case of invasion.

The site has been purchased, the arsenal finished and a powder magazine in progress, the expense of which will be within the appropriation, and all the arms and munition have been deposited therein except 200 guns, six hundred pounds langrage and fifteen hundred pounds of round shot for the cannon, the weight of all which will be about one and three fourths tons, the expense of transporting, which will not exceed one hundred and twenty-five dollars, at the rate charged for transporting the others. Your committee are of opinion that the establishment of the arsenal at Lancaster was judicious and no more than an act of justice to that portion of the State, and we believe should be carried out according to the intention of the Legislature in establishing it, especially when the same can be completed at so small expense. As to permitting said arms to be removed from said arsenal, your committee are of opinion that after so much pains and expense have been incurred to place within the wants of the people of the interior the means of defence, such means should not be removed except upon strong and weighty reasons, which in our opinion do not exist. The State is annually receiving arms from the general government and if more should be required to be kept at Ports-

mouth it would in our opinion be better to prohibit the delivery of any more to the militia of the State, until the same shall increase to the necessary number to be kept therein. From a consideration of the whole subject the committee have directed me to report the following resolution.

PETER SANBORN, for the committee.

*Resolved*, That said resolutions be indefinitely postponed.

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## REPORT

OF THE

### SELET COMMITTEE UPON THE SUBJECT

OF THE

### North Eastern Boundary.

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The Select committee to which was referred the communication from His Excellency, enclosing Resolutions of the States of Maine, Massachusetts and Maryland, upon the subject of the Northeastern Boundary, have had the same under consideration and respectfully submit the following

## REPORT

The resolutions of the State of Maine are as follows :

*Resolved*, That the Legislature sees no occasion to renew the declarations heretofore made of the right of this State to the whole of its territory, according to the Treaty of 1783, unjustly drawn into question by Great Britain, (entirely recognized by the unanimous Resolutions of Congress in 1838,) nor to repeat its own former Resolutions on the subject. And it regards with grateful satisfaction the strong increasing and uniform demonstrations, from all parts of the Union, of conviction thereof, and of determination to support the same.

*Resolved,* That this Legislature adopts and affirms the principles of former Resolves of preceding Legislatures in relation thereto, in all their force and extent ; that it approves their spirit, insists on their virtue; adheres to their terms, and holds the National Government bound to fulfil their obligations ; that it deprecates any further delay, and cherishes an earnest trust and expectation, that the National Government will not fail, speedily, to cause our just rights, too long neglected, to be vindicated and maintained, either by negotiation, or by arms.

*Resolved,* That we truly appreciate the patriotic spirit with which the Federal Government espoused, and our sister States embraced our cause, and the country came to our side, in a most severe and critical emergency ; and that confiding in their continued sympathy and support, and confirmed in the strength of our cause, we feel warranted to rely for safety on the sovereign power of the Union, the people of this State maintaining all their constitutional rights.

*Resolved,* That in accordance with the generous examples of our sister States, and not to be behind their free-will offering on our behalf, this State also voluntarily tenders its whole powers and resources, without reserve, to the supreme authorities of the Union, to sustain our national rights and honor ; and it stands ready furthermore, obeying the call and abiding the will of the country, to go forward and occupy that position which belongs and shall be marked out to it ; and engages that it will not be wanting in any act of duty or devotion to the Union, of fidelity to itself, and, above all, to the common cause of our whole country.

*Resolved,* That this State is suffering the extreme unresisting wrong of British invasion, begun in 1839, repeated in 1840, and continued to this time, in violation of solemn and deliberate pledges from abroad, guaranteed by our own Executive Government ; that the President of the United States, therefore, be requested and called upon to fulfil the obligation of the Federal Constitution, by causing the immediate removal or expulsion of the foreign invading force, now stationed within the bounds of Maine ; and other methods failing, to cause military possession to be taken of the disputed territory.

*Resolved,* That the Government of the United States be earnestly invoked to provide for our future protection against foreign aggression, by proper establishments of military force upon the frontier, and by the due exertion of its constitutional powers, to liberate and relieve this State from the present heavy burden of its own needful, unavoidable defence.

*Resolved,* That the Government of the United States is bound



to cause the Commissioner appointed to explore and trace the Northeastern Boundary line from the Northwest angle of Nova Scotia, along those highlands which divide the waters that empty into the river St. Lawrence from those that fall into the Atlantic Ocean, according to the Treaty of 1783, to be prosecuted with the utmost speed, vigor and certainty to its definite and absolute conclusion, and that the same should be completed and the true line run and marked, within the period of the present year.

*Resolved*, That the Governor be requested to transmit a copy of these Resolves, together with this Report, to the President of the United States; and that similar copies of the same be transmitted to the presiding officers of the two branches of Congress, and to the Executives of the several States, and the presiding officers of the several Legislatures of said States, and to the Senators and Representatives in Congress to this State and of Massachusetts."

The able Report made by Mr. Buchanan to the United States Senate, and that by Mr. Howard to the House of Representatives, at the 2d session of the 25th Congress, together with the legislative reports of several of our sister States upon the subject of the Northeastern Boundary, seems to relieve your committee from the necessity of going very elaborately into the question, or of examining in detail the arguments adduced by the governments of the United States and Great Britain in support of their respective claims to the "disputed territory." Yet it may not be deemed out of place here to state, as succinctly as they may, the ground on which these adverse claims rest, as well as the different views which the two governments entertain respecting them.

Endeavoring to discharge with propriety the duty which the resolution of the House imposes, and to arrive at just conclusions as to the course most becoming the State of New Hampshire to pursue, upon a subject of such vital interest to the State of Maine and to all of the United States, your committee have examined all the authorities within their reach, that seemed to bear upon the case, and have availed themselves of the labors of those distinguished statesmen who have heretofore made reports to Congress, and also to the States of Maine, Massachusetts and Maryland, in relation to the "disturbance in Maine" and to the Boundary.

In the second article of the Treaty of Peace, concluded at Paris in 1783, it is written—"And that all disputes which might arise in future, on the subject of Boundaries in the United States, may be prevented, it is hereby agreed and declared, that the following are and shall be her boundaries, viz: from the Northwest angle of Nova Scotia, viz: that angle which is formed by a line

drawn due north from the source of St. Croix river to the highlands ; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, to the Northwesternmost head of Connecticut river," &c.

The Commissioners seemed to be fully aware of the great importance, in this, as well as in all other delineations of territory, to fix upon a place of beginning with the greatest possible certainty. This they did, in a manner that promised to prevent all future dispute.

At this early period of our history, the Northwest part of Nova Scotia, as well as the Northeast part of New England, was almost entirely uninhabited ; and even to this day is but very partially settled. No inconvenience therefore arose from the fact, that the dividing lines between the Province of Maine, as it was called, and the neighboring provinces, or even this point which was to mark the beginning of their boundaries, had not been ascertained and fixed by actual survey and the erection of durable monuments. Still, "the Northwest angle of Nova Scotia" was a well known point, and could readily be found upon the surface of the earth at the intersection of two well defined lines. Official documents of the most authentic character, which it can, beyond all dispute, be made to appear were before the Commissioners, fully establish this fact. Among these documents was Mitchell's map, published in 1755, under the direction of the Lords Commissioners for Trade and Plantations. On this map is distinctly traced the dividing line between the two provinces, with the word Nova Scotia on one side and that of New England on the other, printed in large capitals. Strange as it may seem, this Northwest angle of Nova Scotia, which was fixed upon by the Commissioners with so much care, in order to prevent all future dispute, and which was so notorious at the time, is the very point now contested by the British Government.

The all-important question then recurs, where was, and where is now the Northwest angle of Nova Scotia ? Previous to the conquest of Quebec, and the subsequent surrender of the French possessions in Canada to Great Britain by the treaty of 1763, both New England and Nova Scotia extended north, full up to the St. Lawrence. But in creating the province of Quebec, the king thought proper to extend its limits so far south of the St. Lawrence as to embrace all the valley of that great river, as well as all the territory through which all its tributaries flowed. Accordingly in February, 1763, he issued his royal proclamation, declaring that the government of Quebec should be bounded south



of the St. Lawrence by a line crossing that river and the Lake Champlain, in forty-five degrees of north latitude, and passing "along the highlands which divide the rivers that empty themselves into the said river St. Lawrence, from those which fall into the sea, and also along the north coast of the Bay des Chaleurs, and the coast of the Gulf of St. Lawrence, to Cape Rosiers."

Thus a portion of New England and of Nova Scotia was added to the province of Quebec, and the latter extended so far south as to include all the valley of the St. Lawrence, its southern line being fixed along the highlands from whence its tributaries flowed. Nova Scotia and New England still retaining all the territory south of said highlands. Where then was the Northwest angle of Nova Scotia after the royal proclamation of 1763? Most clearly where the line extending due north from the source of the St. Croix intersects the southern line of Quebec, "running along the highlands which divide the rivers that empty themselves into the said river St. Lawrence, from those which fall into the sea."

But this boundary line, between the said province of Quebec on the north, and Nova Scotia and New England on the south, was more clearly marked and defined by an act of the British Parliament passed in 1774, "for making more effectual provision for the government of the province of Quebec in North America. The following is the language employed, to wit: "bounded on the south by a line from the Bay of Chaleurs, along [the highlands which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea, to a point in forty-five degrees of northern latitude, on the eastern bank of the Connecticut river." It is to be observed that in describing said highlands, both the royal proclamation and the act of Parliament employ the very same language, viz: "the highlands which divide the rivers that empty themselves into the river St. Lawrence, from those that fall into the sea." Here is a dividing line, its termini being two well known natural objects, the Bay of Chaleurs on the north, in latitude forty-eight, and a point on the Connecticut, in latitude forty-five. This line, with its extremities thus distinctly defined, and passing along highlands discernible to the eye from the valley of the St. Lawrence, and dividing streams that flow in opposite directions, was recognized and described in almost the same language, in all the commissions to the provincial Governors, from the proclamation in 1763 to 1784, when Nova Scotia was divided and the new province of New Brunswick formed. "The western extremity of the Bay des Chaleurs," is the language used in the royal commissions to the Governors of No-



va Scotia, and afterwards New Brunswick, thus fixing more specifically the northern termination of this boundary line. It is difficult to conceive of a better described boundary than this.—The western boundary of Nova Scotia, and afterwards of New Brunswick, is as clearly described and fixed. Prior to 1763, both Nova Scotia and New England extended as far north as the river St. Lawrence. After the proclamation of that date, it became necessary to alter the royal commission conformably to the extended Province of Quebec: accordingly, in the royal commission to Montague Wilmot, Esq., dated Nov. 21, 1763, the limits and boundaries of Nova Scotia are thus described: "To the northward our said province shall be bounded by the southern boundary of our province of Quebec, as far as the western extremity of the Bay des Chaleurs," and on the west, "it shall be bounded by a line drawn from Cape Sable, across the entrance of the Bay of Fundy, to the mouth of the river St. Croix; by the said river to its source, and by a line drawn due north from thence, to the southern boundary of our colony of Quebec." Almost the same identical language is used in all the royal commissions to the Governors of Nova Scotia, even down to that of Governor Parr, dated July 29, 1782, within four months of the conclusion of the provisional Treaty of peace with Great Britain; and within a little more than one year of the definitive Treaty of 1783.

Some question soon after arose as to what should be considered the source of the St. Croix river; but that was settled by joint commissioners from the two Governments, agreed upon in 1794, who erected a monument, which in all coming time was to mark the point, whence was to start that meridian, which, by its intersection with the "highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean," was to form the northwest angle of Nova Scotia. This well known and long established point seems to have been perfectly familiar to the commissioners who established the boundaries between the United States and Great Britain in 1783.

The line running due north from the St. Croix to the highlands, described in the Treaty of '83, crosses the river St. John near the Great Falls, in about forty-seven degrees of north latitude; and fixes the northwest angle of Nova Scotia some fifty miles north of that stream; leaving a large extent of territory, watered by said river and its numerous

branches within the "disputed territory," and as your committee fully believe within the long established limits and acknowledged jurisdiction of the State of Maine. Whereas the line contended for by the British Commissioner appointed agreeably to the provisions of the fifth article of the Treaty of Ghent, as well as that marked out by the more recent survey of Messrs. Featherstonhaugh and Mudge, not only places that angle far to the south of the St. John, but cuts off from Maine entirely every tributary to that river, with the extensive region through which they flow, thus depriving that State, at once, of about one third of what is deemed its legitimate territory.

In the report of Mr. Howard, made to the Legislature of Maryland, referring to the able review of the report of Featherstonhaugh and Mudge, written by Albert Gallatin, a most distinguished and venerable diplomatist and statesman, we find the following :

Mr. Gallatin, after giving a list of nineteen different maps published in England between 1763 and 1783," being all the maps that could be found, after a diligent search both in England and America," says, "in every instance the course of the line from the source of the river St. Croix is northward; in every instance that line crosses the river St. John and terminates at the highlands in which the rivers that fall into the St. Lawrence have their sources; in every instance, the northwest angle of Nova Scotia is laid down on those highlands and where the north line terminates; in every instance the highlands, from that point to the Connecticut river, divide the rivers that fall into the St. Lawrence from the tributary streams of the river St. John and from the other rivers that fall into the Atlantic Ocean." Mr. Gallatin mentions four other maps, published in England within one year of the Treaty of 1783 in all of which "the boundaries of the United States are laid down as now claimed by the United States."

Can there then be any doubt as to the true dividing line between the United States and the British Provinces? Do not all former Treaties; all acts of Parliament relating to the subject; all royal proclamations and commissions of Provincial Governors, from 1763 till after the Treaty of '83, in a word do not the settled convictions of more than thirty years immediately succeeding that Treaty, all unite in establishing that line precisely where the United States assert it to be?



But what are the grounds on which the British government rests its claims to the disputed territory?

Previous to the treaty of Ghent, says Mr. Buchanan in his report, "the British Government had become convinced of the great importance of having a direct communication, within their own territory, between their provinces of Nova Scotia and New Brunswick, and the city of Quebec." The report adds, "from the date of the Treaty of 1783, until the conferences at Ghent in 1814, during a period of more than thirty years, our title was unquestioned, as it still remains unquestionable."

At the time of this Treaty, even the British commissioners did not seem disposed at all to press the question of title, but endeavored to obtain a cession of so much of the territory of the United States, as would afford them a direct communication between Halifax and Quebec. And it was not till after they had been informed by the American Commissioners, that "they had no authority to cede any part of the territory of the United States; and to no stipulation to that effect will they subscribe,"—that the first intimation of any claim to it was made.

In their note of the 8th of October, the British Commissioners declare, that "the British Government never required that all that portion of the State of Massachusetts intervening between the Province of New Brunswick and Quebec, should be ceded to Great Britain; but only that small portion of unsettled country which intercepts the communication between Quebec and Halifax, there being much doubt whether it does not already belong to Great Britain."

How strange it is, that this "small portion of unsettled territory," for which she was then willing to give an equivalent, should, in the lapse of a quarter of a century, have grown to such enormous dimensions, that England now, of right, claims one full third part of the territory of Maine, and that under the Treaty of 1783!

Under the fifth article of the Treaty of Ghent, a Commissioner was appointed, on the part of each Government, to run a boundary line agreeably to the Treaty stipulation of 1783. Starting from the monument at the source of the St. Croix, they proceeded in a northerly direction some forty miles till they struck an isolated elevation, now called Mars Hill, about fifty miles south of the St. John, and a hundred



miles south of those highlands that mark the southern boundary of the Province of Quebec. This elevation the British Commissioner insisted was the highlands described in the Treaty of '83; and that here was the northwest angle of Nova Scotia. From this point was run a line, through a previous western course, to the real Treaty highlands near the source of the Chaudiere river, and nearly opposite the city of Quebec; thence along those highlands to the northwesternmost branch of the Connecticut river. This line marks the southern boundary of what is now called the "disputed territory." These Commissioners disagreeing, as might be supposed they would, the question, agreeably to the Treaty, was referred to the King of the Netherlands; the result of whose investigations is too well known to require a recital in this report. Suffice it to say, his award was rejected by the United States, on the ground that he had not decided according to the terms of the submission, but proposed a compromise, by splitting the difference.

And now, after spending more than half a century in fruitless negotiation, the question not only remains unsettled, but is involved in the mazes of a protracted diplomatic correspondence, from which, it is feared, it will be no easy task to extricate it.

But Great Britain contends that if Mars Hill be not the northwest angle of Nova Scotia, and the line extending westward from that point, "the true Treaty line, then it is impossible to find it, and that the Treaty of '83 becomes void for uncertainty."

It is believed enough has already been said to show the practicability of running this Treaty line. All parties agree as to the starting point, the source of the St. Croix: simply by running a line due north from this point to the southern line of the Province of Quebec, as described in the royal proclamation of 1763, we have the northwest angle of Nova Scotia, and that this line, running along highlands that are known to divide streams that flow in opposite directions, may be found and marked upon the earth's surface, "is as certain," as has been well said, "as the laws of nature."

The British Government contend for the highlands extending westward from Mars Hill, between streams that flow into the St. John on the north, and into the Penobscot on the south, on the strange and hypothetical ground, that the riv-

er St. John flowing into the Bay of Fundy, can't be considered as one of those streams mentioned in the Treaty, that fall into the Atlantic Ocean.

Now this argument evidently proves too much : since every considerable stream along the entire coast of Maine, empties itself into some Bay, and not, according to this hypothesis, into the sea, or ocean. To wit : the Androscoggin and Kennebec flow into Sagadahock Bay ; the Penobscot into a Bay of the same name ; and the St. Croix itself flows into Passamaquoddy Bay, which is a part of the Bay of Fundy. And besides, it will be vain to look in these highlands for streams that flow into the St. Lawrence. But these are not all the difficulties involved in this assumption. It is agreed on all sides, that the jurisdiction of New Brunswick extends as far north as the Bay Chaleur, including the territory watered by the Ristigouche and its branches. Extend this assumed line eastward from Mars Hill and you not only cut off from New Brunswick this large section of country, but you throw the whole of the disputed territory within the limits and jurisdiction of Lower Canada. What right then have the authorities of New Brunswick to interfere ? But it never has been pretended that any part of this territory belonged to Canada.

" On the 9th of July, 1839, Messrs. Featherstonhaugh and Mudge received instructions from Lord Palmerston, Her Majesty's Secretary for Foreign Affairs, to proceed to New Brunswick, for the purpose of making investigations respecting the nature and configuration of the territory in dispute," and to report upon three distinct lines across the same. It is deemed proper, here to state, that this was a separate commission of the British Government, in which the United States had no participation. Two of the lines named in the instructions of Lord Palmerston, were those claimed by the two Governments respectively ; the other, and the second in order in the instructions, was an intermediate line which had never before been suggested by either party. " It is evident," says the North American Review, " from an examination of these instructions, that the British Government had a distinct, and to them a highly desirable object in view. It was that of ascertaining by positive examination the nature of the country in the disputed territory, and thus of gathering materials, upon which their own construction of the



terms of the treaty might be most strongly supported." These Commissioners completed their examination and survey in the short space of two months, and made their report in April 1840.

Your committee have not time now to go into the details of that report; and if they had, motives of prudence would restrain them from speaking of it in terms that its extravagant pretensions demand. It is not a little remarkable, however, that they should so readily have found "a line of highlands, agreeing," as the report says, "with the language of the Treaty of 1783," exactly where the Minister for Foreign Affairs told them to find it.

In consequence of this report, it will be recollected, our own government appointed commissioners to make a survey on the part of the United States. That survey commenced too late last season to accomplish any satisfactory results: it is understood to be still in progress. And it is earnestly hoped, in the language of the North American, "that it will be persevered in, until the doubt, that now hangs over the character of this territory, shall be entirely dispelled, and the United States enabled to specify, with perfect geographical distinctness, that boundary which divides from each other the rivers referred to in the Treaty;—a boundary which does not the less exist, because it has thus far remained in the wilderness.

One important fact seems to be already established from this yet partial survey. "It turns out," says the report of the Maine committee, "by the brilliant scientific exploration of Major Graham, as was insisted at the time when the pretence was brought to light, that the true line from the monument does not even touch Mars Hill, but leaves it quite to the west, upon our side, and within the limits of Maine." The report adds, "Mars Hill remains, and will stand for ages, a monument of the gigantic and monstrous absurdity of this audacious assumption."

In 1827, about the time the negotiation was going on in London, for referring the question to an umpire, continues the report, there was "a simultaneous charge from the Provincial powers of New Brunswick, along the whole line of the hitherto undisputed American possession and population. The boundary, supposed to have been sufficiently established, from the St. Croix as far as the St. John, was broke in-



to." At this period, too, an American citizen, who had acquired the possession of an original American settler, seated upon a grant under the authority of the two States of Massachusetts and Maine, at the confluence of the Aroostook with the St. John, having the protection of the Governor of Maine in his pocket, was seized by the sheriff of New Brunswick, and conveyed, as a prisoner, to Frederickton." A similar outrage was committed in 1838 upon a citizen of Maine, residing within the Madawaska precinct. In 1839, Governor Fairfield, then just entering upon the duties of his office, received information that a large dody of strangers from the British Provinces were trespassing upon the lands and timber, on the south side of the St. John and within the jurisdiction of Maine. Agreeably to a special Resolve of the Legislature, the Land Agent of the State was authorized to employ sufficient force to arrest all such trespassers. In attempting to discharge that duty, the Land Agent himself was seized by night and indignantly dragged to Frederickton, where he was detained and treated as a criminal. He was soon after, however, allowed to return on parole, as a prisoner of State.

The difficulties that grew out of these strange proceedings were settled through the mediation of General Scott; and arrangements made with Sir John Harvey, whereby under certain guaranties the military force of Maine was withdrawn. These arrangements, it is believed, have been faithfully observed on the part of Maine. It is a matter of surprise and regret, therefore, that the Provincial authorities should so far disregard them as to march in their troops and establish military posts along the disputed territory.

It would be extending this report to an unwarrantable length, to go into the particulars of all these border troubles: many of which are of such recent origin and interesting character, that they cannot but be fresh in the recollection of the Legislature.

The patience and fortitude of the people of Maine, under so many repeated acts of outrage and wrong, have not escaped the observation of the committee. But there is a point beyond which human endurance cannot be expected to go. It is not strange then, that the good citizens of Maine, after suffering so long and so deeply, the evils attending the unfortunate procrastination of this dispute: after seeing their

territory repeatedly invaded and despoiled, the authority of the State trampled under foot, and their brethren forced away from their lawful possessions to the prison of the neighboring province: it is not strange, under such circumstances, that they should not be able, without the most fearful apprehensions, to witness now, contrary to the arrangements entered into by the two governments, an attempt on the part of the British authorities to take military possession of any part of their territory. They could not bear to see that territory made "a thoroughfare for the passage of British troops;" much less the site of a permanent military establishment.

Your committee are aware that much more might be said upon this interesting subject, but they have already exceeded the limits they had marked out for this report. They would beg leave to say, that from the investigation which a regard to other duties, has enabled them to make, and from all the light they could gather upon the subject, they are irresistably forced to the conviction, that the United States have a perfect title to all the territory within its limits, including the disputed territory in the State of Maine; and that it is the duty of the General Government, other means failing, to protect that territory by force of arms. And should they be brought to that direful necessity, your committee feel warranted in giving the assurance that New Hampshire will not be found behind her sister States, in any thing that patriotism and valor can do to defend the territory of Maine, and protect the rights and honor of the nation.

I am directed, respectfully to submit the following Resolutions.

JOSEPH ROBINSON, for the Committee.

*Resolved by the Senate and House of Representatives in General Court convened,* That the United States and the State of Maine have a just and valid title to all the territory in dispute between Great Britain and the United States, on the Northeastern Frontier; and that the boundary line, agreeably to the treaty stipulations of 1783, is capable of being ascertained and marked upon the earth's surface.

*Resolved by the Senate and House of Representatives in General Court convened,* That it is the duty of the General Government to prosecute the commission appointed to explore the Northeastern Boundary line, till the whole is ascer-

tained and marked by suitable monuments, from the source of the St. Croix to the Northwest angle of Nova Scotia ; and from said angle along the highlands described in the Treaty of 1783, to the northwesternmost head of Connecticut river.

*Resolved by the Senate and House of Representatives in General Court convened,* That the Military occupation by Great Britain of any part of the "Disputed Territory," is a violation of the rights of the State of Maine and of the United States, and contrary to the arrangements entered into by the two governments.

*Resolved by the Senate and House of Representatives in General Court convened,* That though New Hampshire would deprecate a collision with the mother country, yet preferring honorable war to dishonorable peace, if other means fail of settling the dispute, she tenders her whole means and resources to the authorities of the Union, in sustaining our rights and honor.

*Resolved by the Senate and House of Representatives in General Court convened,* That the Governor be and hereby is requested to transmit a copy of the foregoing Report and of these Resolutions to each of the Governors of the several States, and to each of the Senators and Representatives in Congress from this State.

House of Representatives, July 2, 1841. The foregoing Report and Resolutions having been read, were adopted.

H. HIBBARD, *Clerk.*

In Senate, July 2, 1841. The foregoing Report and Resolutions having been read, were adopted.

I. L. FOLSOM, *Clerk.*

JOHN S. WELLS,

*Speaker of the House of Representatives.*

JOSIAH QUINCY,

*President of the Senate.*



REPORT OF THE JUDICIARY COMMITTEE,  
ON THE SUBJECT OF THE  
CONTROVERSY BETWEEN THE STATES OF MAINE AND GEORGIA,  
AND BETWEEN THE  
STATES OF NEW-YORK AND VIRGINIA.

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The committee on the Judiciary, to whom was referred the Report and Resolutions of the General Assembly of Alabama, on the subject of the controversy between the States of Maine and Georgia, also the Report and Resolutions of the General Assembly of Maryland on the subject of the controversy between the States of New York and Virginia, have had the same under consideration, and ask leave to submit the following

REPORT.

The right of each State to enact laws, and to prescribe penalties for the violation of the same, so long as those laws do not conflict with the constitution and laws of the United States, cannot be denied. It is an incident to the sovereignty of the States; and can neither be questioned nor impaired by the authorities of any other State. Each State may define crimes, and provide for the punishment thereof, and whether right or wrong, whoever commits the act thus made criminal, is amenable to the laws of the State within which the act was committed; and should the offender be arraigned before the tribunals of justice within the State whose laws have been violated, no one can rightfully interfere to arrest the punishment prescribed. It is for the people of that State to judge of the expediency of domestic slavery, or any other social or political institution; and it is their right to enact such laws as may seem to them necessary and proper for the protection of themselves and their property.

Simple larceny is defined by the laws of Georgia "the felonious taking and carrying away the personal goods of another;" and it is provided, "that any person or persons, who shall feloniously take and carry away a Slave, shall be punished by imprisonment at hard labor in the penitentiary, for a time not less than three years, and not longer than seven years."

On the 16th of June, 1837, information was made on oath before a magistrate of Chatham County in the State of Georgia, by James Sagues of Savannah in said county, that Daniel Philbrook and Edward Killevan of the State of Maine, "did, on or about the fourth day of May last, feloniously inveigle, steal, take, and carry away without the limits of the State of Georgia," a slave named Atticus, the property of said James and one Henry Sagues; "that the said Daniel Philbrook and Edward Killevan have been guilty, as the deponent has been informed and believes, of a felony under the laws of this State;" and "that since the commission of said felony, the said Philbrook and Killévan have fled from this State, and are, as he believes, at this time, within the limits of the State of Maine in the United States." On the same day, a warrant for the arrest of Philbrook and Killevan was issued by the magistrate before whom the information was made, to which the officer, charged with its execution, returned, that they were not to be found in the county of Chatham. On the 7th of Feb. 1838, an indictment charging Philbrook and Killevan with larceny for the same offence, was found by the grand jury of Chatham county.

Here is the law of a State defining a crime; a complaint made, and warrant issued; an indictment found; every thing necessary to a trial, but the presence of the persons charged with the commission of the offence; and they, by the return of the officer are without the jurisdiction of the State whose laws have been violated. What is to be done? Had they been arrested within the State of Georgia, no matter from what State, or country, they might have come; no matter whether innocent, or guilty; they must have appeared before the tribunals of justice within the State of Georgia, and answered to the crime with which they stood charged. But they were without the jurisdiction of the State. What then?

The constitution of the United States provides, "that a person charged in any State with treason, felony, or other

crime, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime."

The act of Congress of 1793 declares "that whenever the Executive authority of any State in the Union, or of either of the territories northwest or south of the Ohio river, shall demand any person as a fugitive from justice, of the Executive authority of any such State or territory, to which such person shall have fled, and shall moreover produce the copy of an indictment found, or an affidavit made before a magistrate of any such State or territory as aforesaid, charging the person so demanded with having committed treason, felony, or other crime, certified as authentic by the Governor, or chief Magistrate of the State, or territory from which the person so charged fled, it shall be the duty of the Executive authority of the State or territory to which such person shall have fled, to cause him or her to be arrested and surrendered, and notice of the arrest to be given to the Executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear."

Confiding in the provisions thus solemnly made by the constitution and laws of the United States, relying upon the rights thus guaranteed, on the 21st of June, 1837, the Executive of the State of Georgia made a demand upon the Executive of the State of Maine, of Philbrook and Killevan, as fugitives from justice, charged with stealing the slave Atticus, and transmitted with his demand, a copy of the affidavit and warrant, and the return, duly authenticated; and on the 27th of April, 1838, a similar demand was made accompanied with a copy of the indictment found, duly authenticated. In either case, the Executive of the State of Maine declined to cause the arrest and surrender of the persons charged with the crime.

Your committee are at a loss to perceive upon what ground the Executive of any State can refuse to comply with a demand made by the Executive of any other State, to surrender a person charged with the commission of a crime within the State from which the demand is made. The provisions of the constitution and laws of the United States are plain and explicit. The demand is a right; the surrender a duty;



and no State can take upon itself to judge of the propriety of either, without a manifest disregard of the obligations solemnly imposed upon each State by the adoption of the Federal constitution.

It has been suggested, that, to authorize a surrender, the act charged must not only be criminal in the State in which it was committed, but also in the State where the fugitive is found—at least, that the act must be a crime at common law.

Your committee are of opinion that this objection cannot avail any thing, and ought not to be made.

The words of the constitution are, "That a person charged in *any State* with treason, felony, or other crime, who shall *flee from justice*, and be found in *another State*, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State *having jurisdiction of the crime.*"

All that the constitution requires, is, that a person shall be charged with a crime; and if the act complained of is made criminal by the laws of the State in which it was committed, it comes within the case provided by the constitution. It is not required that the act should be made criminal by the laws of any other State than that in which it was committed; neither by the laws of the United States, nor by the common laws, any more than by the laws of France, or Persia. If the act is made criminal by the laws of the State in which it was committed, the perpetration of it is a crime; and to be charged with it, is to be charged with a crime; and that is all the constitution requires. If this be not the true interpretation, why should the expression, "flee from justice" have been used? What "justice," unless that due the State whose laws have been violated? Why use the expressions, "be found in another State;" "be removed to the State having jurisdiction of the crime?"

If it were necessary, your committee would refer to the exigency out of which this provision of the constitution arose.

Previous to the adoption of the Federal constitution, each State had full power to define, prevent and punish crimes within the limits of its own territory; but if the offender had escaped without the territory of the State, the authorities of the State could not, as a matter of right, pursue him

any farther. To secure a free intercourse among the States, and to promote the common good, each State, upon the adoption of the Federal constitution, surrendered the right which it previously possessed, and as a perfect sovereignty, would otherwise have enjoyed, of protecting itself against injury from the citizens of other States by excluding them from its territory, in that clause of the constitution which provides, "that the citizens of each State shall be entitled to all privileges and immunities of citizens of the several States."

To protect the States from the damages to which they would have been exposed by permitting the free ingress of persons from abroad, against whose aggressions no adequate protection could be furnished by the State whose laws had been violated, and to give to each State additional security against the violation of its laws by its own citizens, by taking from the offender the impunity which he would otherwise have enjoyed in his escape from the jurisdiction of the State in which the offence had been committed, that clause of the constitution was inserted, which provides for the removal of fugitives from justice; and under the guaranty of which, the Executive of the State of Georgia made the demand upon the Executive of the State of Maine. These clauses are both found in the same section. Without the former, the latter would scarcely have been needed; and without the latter, the former would be fraught with evils, fatal not only to the peace and well-being of the States, but to their very existence. Citizens from States whose laws were different, whose political institutions were different, whose social relations were different, might take advantage of the impunity which their escape would give them, enter an adjoining State, set its laws at defiance, trample the rights of its citizens under foot, and seek refuge in some State, where the crimes they had perpetrated, would go unpunished.

Such an interpretation carries upon the face of it, its own refutation. Under its sanction the Federal constitution, which was designed for the mutual safety of the States, would be converted into an instrument of mutual annoyance. The Union of the States, or the sovereignty of the States, must fall before it. They could not exist together.

Another suggestion has been made, though it scarcely deserves to be noticed; and that is, that proof should be fur-

nished that the person charged "fled from justice." It will hardly be believed, that the framers of the constitution deemed it necessary that the offender should literally *fly* or *run*, from the State whose laws had been broken, to authorize his surrender, and to give the injured State a right to demand it. His absence from the State which makes the demand, and presence in the State upon which the demand is made, is the proper evidence of his flight, and in most cases the only evidence that could be attained.

Your committee are aware of the delicate nature of the questions involved in this controversy. They are aware that a difference of opinion may exist in relation to the rights of the parties interested. But after the most careful consideration, they cannot avoid the conclusion to which they have come. Any other view of the subject, it seems to them, would annihilate the rights which have been solemnly guaranteed to the States by the federal constitution.

The controversy between the States of Virginia and New York, present the same question as that between the States of Georgia and Maine; and it is therefore deemed unnecessary to go into a particular examination of the facts connected with it.

Your committee recommend the adoption of the following resolutions.

ALBERT BAKER, for the Committee.

*Resolved*, That the constitution of the United States was established by the people of the States respectively, the people of each State acting in their sovereign capacity, as a party to the compact.

*Resolved*, That each State is sovereign within its own territory, except so far as that sovereignty may be abridged by the delegation of the powers specified in the federal constitution.

*Resolved*, That the federal government is limited in its jurisdiction, but within its appropriate sphere, is paramount to the authority of the States.

*Resolved*, That it is the duty of the federal government to provide for the faithful observance of the stipulations contained in the federal constitution.

*Resolved*, That the refusal of one State to surrender a person charged with the commission of a crime within another State, and who shall flee from justice, is in open disre-



gard of the plain letter of the constitution, subversive of the peace and harmony of the Union, destructive of the ends for which the federal constitution was established.

*Resolved*, That the executive of this State be requested to transmit to the executive of the several States, to be laid before their respective Legislatures, and to our Senators and Representatives in Congress, to be laid before that body, a copy of the above Report, and of these Resolutions.

State of New Hampshire.—House of Representatives,  
June 30, 1841. The foregoing resolutions having been read passed.

H. HIBBARD, Clerk.

JOHN S. WELLS, Speaker.

## LIST OF ACTS,

*Resolutions and Addresses, passed June Session, 1841.*

- An act to divide the county of Grafton into two Judicial districts.
- An act providing further remedies against fraudulent debtors.
- An act for the punishment of frauds.
- An act making further provisions in relation to the trustees of debtors.
- An act in addition to an act relating to the organization of courts of justice.
- An act relating to judicial records.
- An act relating to the compensation of County Solicitors.
- An act to render void the settlement of paupers gained under any law passed prior to 1796, and to prevent litigation.
- An act for the more speedy settlement of insolvent estates in certain cases.
- An act in addition to and in amendment of an act passed December 24, 1840, entitled "An act to prevent incestuous marriages and regulate divorces, and for the relief of married women and widows."
- An act securing to mechanics and laborers a lien on buildings, ships and other vessels.
- An act to repeal the second section of an act entitled "An act to encourage the manufacture of leather, and prevent frauds therein," passed July 3, 1829.
- An act relating to the public money deposited with the several towns in this State.
- An act to limit the liability of Bank Directors, and to prohibit officers of banks from receiving compensation for services in certain cases.
- An act relating to Railroads.
- An act to prevent betting and wagering on elections.
- An act to repeal an act entitled "An act relating to the return of votes, and making further provisions for certifying the same."
- An act establishing the fees of sheriffs for returning votes.
- An act in addition to and in amendment of an act entitled "An act for the regulation and government of schools in the town of Portsmouth," approved January 13, 1837.
- An act to annex a part of school district No. sixteen in Haverhill to school district No. eleven in Bath.
- An act to unite school district No. six in Epsom, to the Republican school district in Pittsfield.
- An act to prevent the destruction of fish in the Winnipisseogee Lake and the Bays of the Winnipisseogee River.

An act to repeal an act allowing a certain premium for killing foxes, passed July 4, 1838.

An act in addition to an act entitled "An act to constitute the counties of Belknap and Carroll."

An act in addition to and in amendment of an act entitled "An act to constitute the counties of Belknap and Carroll," passed Dec. 23, 1840.

An act in addition to an act entitled "An act to constitute the counties of Belknap and Carroll."

An act changing the place of holding one of the terms of the Court of Common Pleas in the County of Strafford.

An act establishing the times and places of holding courts of Probate in the county of Strafford.

An act altering the times and places for holding Courts of Probate in the county of Hillsborough.

An act changing the time of holding the Court of Common Pleas in Coos County.

An act to divide the State into districts for the choice of Senators.

An act to raise sixty thousand dollars for the use of the State.

An act providing for the compensation of the officers of the civil list.

An act in addition to an act entitled "An act to establish the rates at which polls and rateable estate shall be assessed in making direct taxes," approved January 4th, 1833.

An act to provide further for the collection of taxes in certain cases.

An act relating to collectors of taxes.

An act making appropriations for the Militia of this State for the year 1841.

An act explanatory of and in addition to an act entitled "An act making appropriations for the militia of this State for the year 1841," passed June session 1841.

An act in addition to an act entitled "An act relating to the public property in the arsenals at Portsmouth and Lancaster."

An act to alter the time of calling out the militia for inspection.

An act requiring a bond of the Adjutant General.

An act in favor of Light Infantry and other companies in this State.

An act in favor of the Swansey Artillery Company.

An act to provide for the appointment of additional officers of the Portsmouth Artillery company.

An act to incorporate the Concord Volunteers.



An act discharging an officer of the militia from arrest.

An act to alter the names of certain persons.

An address in favor of the removal of certain officers therein named.

An act to incorporate the Concord East Village Fire Engine Company.

An act to incorporate Engine Company No. 1, in Antrim.

An act to incorporate Engine Company No. 1, in Mason Village.

An act for continuing all corporations three years for certain purposes.

An act relating to Railroads.

An act to unite certain Railroad Corporations with the Boston and Maine Railroad.

An act in addition to the several acts incorporating the Eastern Railroad in New Hampshire.

An act to enable the Great Falls and South Berwick Branch Railroad to cross Salmon Falls River, and to connect with any other Railroad in the town of Somersworth.

An act in amendment of an act entitled "An act in addition to an act entitled an act to incorporate the Rockingham Mutual Fire Insurance Company," approved June 26, 1838.

An act to incorporate the New Boston Fire Insurance Company.

An act to incorporate the People's Mutual Fire Insurance Company.

An act in addition to an act entitled "An act relating to the rebuilding of Hart Island Bridge," approved July 1, 1837.

An act in addition to an act entitled "An act to incorporate the Amoskeag Falls Bridge.

An act to alter the time of holding the annual meetings of the Congregational Society in Hampton.

An act to incorporate the People's Literary Institute and Gymnasium.

An act to incorporate the Female Seminary at Haverhill.

An act in addition to an act approved July 1, 1832, and entitled "An act to establish a corporation by the name of the Amoskeag Manufacturing Company."

A resolution providing for an examination and report of the condition of ordnance, gun carriages and harnesses.

A resolution to consolidate the third and seventh companies of Infantry in the sixteenth regiment.

A resolution authorizing the commander of the Winnipisseogee Guards, to enlist fifteen additional soldiers.

A resolution appropriating one hundred dollars for the erection of a gun house in the second regiment.

A resolution in favor of Isaac L. Folsom and another.

A resolution in favor of the Commissary General.

A resolution authorizing the Treasurer to borrow thirty-six thousand dollars on the credit and for the use of the State.

A resolution providing for the contingent expenses of this State.

A resolution defining the boundary lines of the town of Pittsburgh.

A resolution authorizing and directing examination to be made into the condition of Savings Institutions in this State.

A resolution in favor of Aaron Carter and others.

A resolution in favor of Asa Fowler and others.

A resolution in favor of Reuben G. Wyman and others.

A resolution in favor of George G. Fogg.

A resolution in favor of Elijah Carpenter and others.

A resolution appropriating seventeen hundred dollars for the education of indigent deaf and dumb persons of this State at the Asylum at Hartford; and eight hundred dollars for the education of indigent blind persons of this State at the Institution for the Blind at Boston.

A resolution appropriating one hundred and eighteen dollars to furnish a set of standard weights and measures to the county of Carroll.

A resolution furnishing copies of the New Hampshire Reports to the Clerks of the counties of Belknap and Carroll.

A resolution furnishing the statute laws of this State to the county officers of Belknap and Carroll.

A resolution directing the collection of the account of the late Quarter Master General.

A resolution furnishing copies of the laws, journals and other public documents to the New York Historical Society.

A resolution authorizing the printing of extra copies of the laws and other public documents of the State for the purpose of exchange with foreign countries.

A resolution in favor of Josiah Stevens, jr. and another.

A resolution in favor of Uriel Dean and another.

A resolution appointing Jacob C. Carter, Librarian for the ensuing year.

A resolution in favor William Fisk and others.

A resolution granting a copy of Carrigain's map to each incorporated academy and literary institution in this State.

A resolution prescribing the mode of distributing Dr. Jackson's Report upon the Geological and Mineralogical Survey of the State

A resolution appointing William Fisk keeper of the State House and State House yard.

Resolutions relative to the United States Bank, the Tariff, and other subjects.

Report and Resolutions relative to the Northeastern Boundary.

Report and Resolutions (House) relative to the controversies between the States of Virginia and New York, and Georgia and Maine.



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